



Senate

General Assembly

File No. 576

January Session, 2001

Substitute Senate Bill No. 1046

Senate, May 3, 2001

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE REVISOR'S CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 1-83 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (a) (1) All state-wide elected officers, members of the General
4 Assembly, department heads and their deputies, members of the
5 Gaming Policy Board, the executive director of the Division of Special
6 Revenue within the Department of Revenue Services, members or
7 directors of each quasi-public agency, members of the Investment
8 Advisory Council, state [marshal] marshals and such members of the
9 Executive Department and such employees of quasi-public agencies as
10 the Governor shall require, shall file, under penalty of false statement,
11 a statement of financial interests for the preceding calendar year with
12 the commission on or before the May first next in any year in which
13 they hold such a position. Any such individual who leaves his or her

14 office or position shall file a statement of financial interests covering
15 that portion of the year during which such individual held his or her
16 office or position. The commission shall notify such individuals of the
17 requirements of this subsection within thirty days after their departure
18 from such office or position. Such individuals shall file such statement
19 within sixty days after receipt of the notification.

20 (2) Each state agency, department, board and commission shall
21 develop and implement, in cooperation with the Ethics Commission,
22 an ethics statement as it relates to the mission of the agency,
23 department, board or commission. The executive head of each such
24 agency, department, board or commission shall be directly responsible
25 for the development and enforcement of such ethics statement and
26 shall file a copy of such ethics statement with the Department of
27 Administrative Services and the Ethics Commission.

28 Sec. 2. Subsection (b) of section 1-83 of the general statutes is
29 repealed and the following is substituted in lieu thereof:

30 (b) (1) The statement of financial interests, except as provided in
31 subdivision (2) of this subsection, shall include the following
32 information for the preceding calendar year in regard to the individual
33 required to file the statement and the individual's spouse and
34 dependent children residing in the individual's household: (A) The
35 names of all businesses with which associated; (B) the category or type
36 of all sources of income in excess of one thousand dollars, without
37 specifying amounts of income; (C) the name of securities in excess of
38 five thousand dollars at fair market value owned by such individual,
39 spouse or dependent children or held in the name of a corporation,
40 partnership or trust for the benefit of such individual, spouse or
41 dependent children; (D) the existence of any known blind trust and the
42 names of the trustees; (E) all real property and its location, whether
43 owned by such individual, spouse or dependent children or held in the
44 name of a corporation, partnership or trust for the benefit of such

45 individual, spouse or dependent children; (F) the names and addresses
46 of creditors to whom the individual, the individual's spouse or
47 dependent children, individually, owed debts of more than ten
48 thousand dollars; and (G) any leases or contracts with the state held or
49 entered into by the individual or a business with which he or she was
50 associated. (2) The statement of financial interests filed by state
51 marshals shall include only amounts and sources of income earned in
52 their capacity as state marshals.

53 Sec. 3. Section 1-102 of the general statutes is repealed and the
54 following is substituted in lieu thereof:

55 No person, committee, association, organization or corporation shall
56 employ any salaried commissioner or deputy commissioner of this
57 state, or any person receiving a salary or pay from the state for services
58 rendered and performed at Hartford, or shall give to any such person
59 any advantage, aid, emolument, entertainment, money or other
60 valuable thing for appearing for, in behalf of or in opposition to, any
61 measure, bill, resolution or petition pending before the General
62 Assembly or any committee thereof, or for advancing, supporting,
63 advocating, or seeking to secure the passage, defeat or amendment of
64 any such measure, bill, resolution or petition pending in or before the
65 General Assembly or any committee thereof; nor shall any such
66 salaried commissioner, deputy commissioner or other person
67 described in this section accept any such employment or perform any
68 such service for another, or accept aid, emolument, entertainment,
69 money, advantage or other valuable thing for or in consideration of
70 any such service. Any person, committee, association, organization or
71 corporation, or any such salaried commissioner, deputy commissioner
72 or person receiving a salary or pay from the state for services rendered
73 and performed at Hartford, who violates any of the provisions of this
74 section, shall be fined not less than one hundred nor more than one
75 thousand dollars. All complaints for the violation of this section shall
76 be made to the state's attorney for the judicial district of New Britain,

77 and [he] said state's attorney shall, upon proof of probable guilt being
78 shown, cause the arrest of any such offender and present [him] such
79 offender or cause [him] such offender to be presented for trial before
80 the superior court for the judicial district of New Britain.

81 Sec. 4. Subsection (d) of section 4-151 of the general statutes is
82 repealed and the following is substituted in lieu thereof:

83 (d) If any person fails to respond to a subpoena, the Claims
84 Commissioner may issue a capias, directed to a state marshal to arrest
85 such person and bring [him] such person before the Claims
86 Commissioner to testify.

87 Sec. 5. Section 5-198 of the general statutes is repealed and the
88 following is substituted in lieu thereof:

89 The offices and positions filled by the following-described
90 incumbents shall be exempt from the classified service:

91 (a) All officers and employees of the Judicial Department;

92 (b) All officers and employees of the Legislative Department;

93 (c) All officers elected by popular vote;

94 (d) All agency heads, members of boards and commissions and
95 other officers appointed by the Governor;

96 (e) All persons designated by name in any special act to hold any
97 state office;

98 (f) All officers, noncommissioned officers and enlisted men in the
99 military or naval service of the state and under military or naval
100 discipline and control;

101 (g) All superintendents or wardens of state institutions, the State
102 Librarian, the president of The University of Connecticut and any

103 other commissioner or administrative head of a state department or
104 institution who is appointed by a board or commission responsible by
105 statute for the administration of such department or institution;

106 (h) The State Historian appointed by the State Library Board;

107 (i) Deputies to the administrative head of each department or
108 institution designated by statute to act for and perform all of the duties
109 of such administrative head during [his] such administrative head's
110 absence or incapacity;

111 (j) Executive assistants to each state elective officer and each
112 department head, as defined in section 4-5, provided each position of
113 executive assistant shall have been created in accordance with section
114 5-214;

115 (k) One personal secretary to the administrative head and to each
116 undersecretary or deputy to such head of each department or
117 institution provided any classified employee whose position is affected
118 by this subsection shall retain classified status in such position;

119 (l) All members of the professional and technical staffs of the
120 constituent units of the state system of higher education as defined in
121 section 10a-1, of all other state institutions of learning, of the
122 Department of Higher Education, and of the agricultural experiment
123 station at New Haven, professional employees of the State Board of
124 Education and teachers certified by the State Board of Education and
125 employed in teaching positions at state institutions;

126 (m) Physicians, dentists, student nurses in institutions and other
127 professional specialists who are employed on a part-time basis;

128 (n) Persons employed to make or conduct a special inquiry,
129 investigation, examination or installation;

130 (o) Students in educational institutions who are employed on a part-

- 131 time basis;
- 132 (p) Forest fire wardens provided for by section 23-36;
- 133 (q) Patients or inmates of state institutions who receive
134 compensation for services rendered therein;
- 135 (r) Employees of the Governor including employees working at the
136 executive office, official executive residence at 990 Prospect Avenue,
137 Hartford and the Washington D.C. office;
- 138 (s) Persons filling positions expressly exempted by statute from the
139 classified service;
- 140 (t) Librarians employed by the State Board of Education or any
141 constituent unit of the state system of higher education;
- 142 (u) Employees in the senior executive service;
- 143 (v) All officers and employees of the Division of Criminal Justice;
- 144 (w) One executive assistant to the chairman of the Office of Health
145 Care Access, provided such position shall have been created in
146 accordance with section 5-214;
- 147 (x) Professional employees of the Bureau of Rehabilitation Services
148 in the Department of Social Services;
- 149 (y) Lieutenant colonels in the Division of State Police within the
150 Department of Public Safety appointed on or after June 6, 1990, and
151 majors in the Division of State Police within the Department of Public
152 Safety appointed on or after July 1, 1999;
- 153 (z) The Deputy State Fire Marshal in the Division of Fire,
154 Emergency and Building Services within the Department of Public
155 Safety;

156 (aa) The chief administrative officer of the Workers' Compensation
157 Commission; and

158 (bb) Employees in the education professions bargaining unit.]; and

159 (cc) Special deputy sheriffs.]

160 Sec. 6. Subdivision (1) of subsection (l) of section 5-259 of the general
161 statutes is repealed and the following is substituted in lieu thereof:

162 (l) (1) Effective July 1, 1996, any deputies or special deputies
163 appointed pursuant to section 6-37 of the general statutes, revision
164 1958, revised to 1999, or section 6-43, shall be allowed to participate in
165 the plan or plans procured by the Comptroller pursuant to subsection
166 (a) of this section. Such participation shall be voluntary and the
167 participant shall pay the full cost of the coverage under such plan.

168 Sec. 7. Section 6-30a of the general statutes is repealed and the
169 following is substituted in lieu thereof:

170 On and after December 1, 2000, each state marshal shall be required
171 to carry personal liability insurance for damages caused by reason of
172 [his] such marshal's tortious acts in not less than the following
173 amounts: For damages caused to any one person or to the property of
174 any one person, one hundred thousand dollars and for damages
175 caused to more than one person or to the property of more than one
176 person, three hundred thousand dollars. For the purpose of this
177 section "tortious act" means negligent acts, errors or omissions for
178 which such state marshal may become legally obligated to any
179 damages for false arrest, erroneous service of civil papers, false
180 imprisonment, malicious prosecution, libel, slander, defamation of
181 character, violation of property rights or assault and battery if
182 committed while making or attempting to make an arrest or against a
183 person under arrest; provided, it shall not include any such act unless
184 committed in the performance of the official duties of such state

185 marshal.

186 Sec. 8. Section 6-32 of the general statutes is repealed and the
187 following is substituted in lieu thereof:

188 Each state marshal shall receive each process directed to [him] such
189 marshal when tendered, execute it promptly and make true return
190 thereof; and shall, without any fee, give receipts when demanded for
191 all civil process delivered to [him] such marshal to be served,
192 specifying the names of the parties, the date of the writ, the time of
193 delivery and the sum or thing in demand. If any state marshal does not
194 duly and promptly execute and return any such process or makes a
195 false or illegal return thereof, [he] such marshal shall be liable to pay
196 double the amount of all damages to the party aggrieved.

197 Sec. 9. Subsection (c) of section 6-32d of the general statutes is
198 repealed and the following is substituted in lieu thereof:

199 (c) The Judicial Department may enter into an agreement with state
200 agencies for the management, training or coordination, or any
201 combination thereof, of courthouse security and prisoner custody and
202 transportation functions.

203 Sec. 10. Section 6-32e of the general statutes is repealed and the
204 following is substituted in lieu thereof:

205 Sections 46a-79 to 46a-81, inclusive, shall not be applicable to the
206 prisoner transportation and courthouse security system, [as
207 established under section 6-32a,] provided nothing herein shall be
208 construed to preclude the prisoner transportation and courthouse
209 security system [, as established under section 6-32a, in its discretion]
210 from adopting the policy set forth in said sections.

211 Sec. 11. Subsection (b) of section 6-38l of the general statutes is
212 repealed and the following is substituted in lieu thereof:

213 (b) No high sheriff may, directly or indirectly, solicit a contribution
214 or an expenditure from a deputy sheriff, a special deputy sheriff, an
215 employee of the high sheriff, a member of the immediate family of a
216 deputy sheriff, special deputy sheriff or employee of the high sheriff,
217 or a business client with whom the high sheriff has conducted business
218 in [his] the capacity [as] of high sheriff during the preceding twelve
219 months, for (1) an exploratory committee or a candidate committee
220 established by a high sheriff, (2) a political committee established by a
221 high sheriff or an agent of a high sheriff, (3) the aid or promotion of the
222 success or defeat of a referendum question or (4) any other purpose for
223 which contributions or expenditures may be made under chapter 150.

224 Sec. 12. Section 7-108 of the general statutes is repealed and the
225 following is substituted in lieu thereof:

226 Each city and borough shall be liable for all injuries to person or
227 property, including injuries causing death, when such injuries are
228 caused by an act of violence of any person or persons while a member
229 of, or acting in concert with, any mob, riotous assembly or assembly of
230 persons engaged in disturbing the public peace, if such city or
231 borough, or the police or other proper authorities thereof, have not
232 exercised reasonable care or diligence in the prevention or suppression
233 of such mob, riotous assembly or assembly engaged in disturbing the
234 public peace. Any person claiming damages under this section from
235 any city or borough shall give written notice to the clerk of the city or
236 borough of such claim and of the injury upon which such claim is
237 based, containing a general description of such injury and of the time,
238 place and cause of its occurrence, within thirty days after the
239 occurrence of such injury; and an administrator or executor seeking to
240 recover damages for the death of a decedent whom [he] such
241 administrator or executor represents shall give such written notice
242 within thirty days after his or her appointment; provided such notice
243 shall be given not later than four months after the date of the injury so
244 causing the death of the decedent whom [he] such administrator or

245 executor represents. The expense for which such city or borough is
246 made liable to the state under the provisions of this section shall, if
247 more than one municipal corporation is jointly responsible for the
248 expense aforesaid, be assessed by the Secretary of the Office of Policy
249 and Management, the Attorney General and the Comptroller, acting as
250 a board of assessors. Such board of assessors may apportion such
251 expense among the different municipal corporations so jointly
252 responsible in such manner as to it seems just. An appeal from the
253 action of such board of assessors may be taken to the superior court for
254 the judicial district in which the appellant city or borough is situated,
255 and, if the cities or boroughs concerned are located in different judicial
256 districts, then such appeal may be taken to the superior court for that
257 judicial district in which the city or borough concerned having the
258 largest population according to the last-preceding census is located.
259 The amount of such assessment against any city or borough for which
260 it is liable to the state under the provisions of this section shall be
261 certified to the clerk of such city or borough by the Comptroller as
262 soon as such assessment is made, and the appeal from such assessment
263 provided herein shall be taken by such city or borough within thirty
264 days from the receipt by it of such certificate of assessment by the
265 Comptroller.

266 Sec. 13. Subsection (f) of section 7-294d of the general statutes is
267 repealed and the following is substituted in lieu thereof:

268 (f) The provisions of this section shall not apply to (1) any state
269 police training school or program, (2) any sworn member of the
270 Division of State Police within the Department of Public Safety, (3)
271 Connecticut National Guard security personnel, when acting within
272 the scope of their national guard duties, who have satisfactorily
273 completed a program of police training conducted by the United States
274 Army or Air Force, (4) employees of the Judicial Department, [(5)
275 sheriffs or deputy sheriffs trained by the Sheriffs' Advisory Board
276 pursuant to section 6-32b, (6)] (5) municipal animal control officers

277 appointed pursuant to section 22-331, or [(7)] (6) fire police appointed
278 pursuant to section 7-313a. The provisions of this section with respect
279 to renewal of certification upon satisfactory completion of review
280 training programs shall not apply to any chief inspector or inspector in
281 the Division of Criminal Justice who has satisfactorily completed a
282 program of police training conducted by the division.

283 Sec. 14. Section 8-26h of the general statutes is repealed and the
284 following is substituted in lieu thereof:

285 No use or occupancy of or the presence of any building or other
286 structure erected on a lot or lots either shown on a filed or recorded
287 map or plan of subdivision or located in a subdivision created by the
288 physical division of land into three or more parcels shall be deemed
289 illegal or invalid because the lot or lots on which any building or other
290 structure is located [is] are not shown on an approved plan of
291 subdivision or because the filed or recorded map or plan of
292 subdivision fails in any manner to comply with any requirement of
293 any general or special law, ordinance or regulation.

294 Sec. 15. Subdivision (2) of subsection (a) of section 9-7b of the
295 general statutes is repealed and the following is substituted in lieu
296 thereof:

297 (2) To levy a civil penalty not to exceed (A) two thousand dollars
298 per offense against any person the commission finds to be in violation
299 of any provision of chapter 145, part V of chapter 146, part I of chapter
300 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-
301 19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-
302 23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-
303 50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-
304 436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand
305 dollars per offense or twice the amount of any improper payment or
306 contribution, whichever is greater, against any person the commission
307 finds to be in violation of any provision of chapter 150. The

308 commission may levy a civil penalty against any person under
309 subparagraph (A) or (B) of this subdivision only after giving the
310 person an opportunity to be heard at a hearing conducted in
311 accordance with sections 4-176e to 4-184, inclusive. In the case of
312 failure to pay any such penalty levied pursuant to this subsection
313 within thirty days of written notice sent by certified or registered mail
314 to such person, the superior court for the judicial district of Hartford,
315 on application of the commission, may issue an order requiring such
316 person to pay the penalty imposed and such court costs, [sheriff's]
317 state marshal's fees and attorney's fees incurred by the commission as
318 the court may determine. Any civil penalties paid, collected or
319 recovered under subparagraph (B) of this subdivision for a violation of
320 any provision of chapter 150 applying to the office of the Treasurer
321 shall be deposited on a pro rata basis in any trust funds, as defined in
322 section 3-13c, affected by such violation.

323 Sec. 16. Subsection (a) of section 12-135 of the general statutes is
324 repealed and the following is substituted in lieu thereof:

325 (a) Any collector of taxes, and any state marshal or constable [, as he
326 may be] authorized by such collector, shall, during [his term] their
327 respective terms of office, have authority to collect any taxes due the
328 municipality served by such collector for which a proper warrant and
329 a proper alias tax warrant, in the case of the deputized officer, have
330 been issued. Such alias tax warrant may be executed by any officer
331 above named in any part of the state, and the collector in person may
332 demand and collect taxes in any part of the state on a proper warrant.
333 Any such state marshal or constable so authorized who executes such
334 an alias tax warrant outside of [his respective] such marshal's or
335 constable's precinct shall be entitled to collect from the person owing
336 the tax the fees allowed by law, except that the minimum total fees
337 shall be five dollars and the maximum total fees shall be fifteen dollars
338 for each alias tax warrant so executed. Upon the expiration of [his] the
339 collector's term of office [the] said collector shall deliver to his or her

340 immediate successor in office the rate bills not fully collected and such
341 successor shall have authority to collect the taxes due thereon. Any
342 person who fails to deliver such rate bills to [his] such person's
343 immediate successor within ten days from the qualification of such
344 successor shall be fined not more than two hundred dollars or
345 imprisoned not more than six months or both.

346 Sec. 17. Section 12-162 of the general statutes is repealed and the
347 following is substituted in lieu thereof:

348 Any collector of taxes, in the execution of [his] tax warrants, shall
349 have the same authority as state marshals have in executing the duties
350 of their office, and any constable or other officer authorized to serve
351 any civil process may serve a warrant for the collection of any tax
352 assessed, and the officer shall have the same authority as the collector
353 concerning taxes committed to [him] such officer for collection. Upon
354 the nonpayment of any property tax when due, demand having been
355 made therefor as prescribed by law for the collection of such tax, an
356 alias tax warrant may be issued by the tax collector, which may be in
357 the following form:

358 "To a state marshal of the County of, or any constable of the
359 Town of Greeting: By authority of the state of Connecticut you are
360 hereby commanded to collect forthwith from of the sum of
361 dollars, the same being the amount of a tax with interest or penalty
362 and charges which have accumulated thereon, which tax was levied by
363 (insert name of town, city or municipality laying the tax) upon (insert
364 the real estate, personal property, or both, as the case may be,) of said
365 as of the day of (In like manner insert the amount of any other
366 property tax which may have been levied in any other year, including
367 interest or penalty and charges which have accumulated thereon). In
368 default of payment of said amount you are hereby commanded to levy
369 for said tax or taxes, including interest, penalty and charges,
370 hereinafter referred to as the amount due on such execution, upon any

371 goods and chattels of such person and dispose of the same as the law
372 directs, notwithstanding the provisions of subsection (j) of section 52-
373 352b, and, after having satisfied the amount due on such execution,
374 return the surplus, if any, to him; or you are to levy upon the real
375 estate of such person and sell such real property pursuant to the
376 provisions of section 12-157, to pay the amount due on such execution;
377 or you shall make demand upon the main office of any banking
378 institution indebted to such person, subject to the provisions of section
379 52-367a or 52-367b, as if judgment for the amount due on such
380 execution had been entered, for that portion of any type of deposit to
381 the credit of or property held for such person, not exceeding in total
382 value the amount due on such execution; or you are to garnishee the
383 wages due such person from any employer, in the same manner as if a
384 wage execution therefor had been entered, in accordance with section
385 52-361a.

386 Dated at this day of A.D. 20.., Tax Collector."

387 Any officer serving such warrant shall make return to the collector
388 of [his doings] such officer's actions thereon within ten days of the
389 completion of such service and shall be entitled to collect from such
390 person the fees allowed by law for serving executions issued by any
391 court. Notwithstanding the provisions of section 52-261, any state
392 marshal or constable, authorized as provided in this section, who
393 executes such warrant and collects any delinquent municipal taxes as a
394 result thereof shall receive in addition to expenses otherwise allowed,
395 an amount equal to ten per cent of the taxes collected pursuant to such
396 warrant. The minimum fee for such service shall be twenty dollars.
397 Any officer unable to serve such warrant shall, within sixty days after
398 the date of issuance, return such warrant to the collector and in writing
399 state the reason it was not served.

400 Sec. 18. Subsection (b) of section 14-12h of the general statutes is
401 repealed and the following is substituted in lieu thereof:

402 (b) (1) If any police officer observes a motor vehicle being operated
403 upon the public highway, and such motor vehicle is displaying
404 registration number plates identified as cancelled on the list made
405 available by the commissioner, such police officer may (A) stop or
406 detain such vehicle and its occupants, (B) issue to the operator an
407 infractions complaint for operating an unregistered motor vehicle, or
408 expired registration if the vehicle is not being operated, in violation of
409 section 14-12, and (C) remove the registration number plates from the
410 vehicle and return them to any branch office of the Department of
411 Motor Vehicles. If any police officer, motor vehicle inspector or
412 constable observes a motor vehicle parked in any parking area, as
413 defined in section 14-212, and such motor vehicle is displaying
414 registration number plates identified as cancelled on the list made
415 available by the commissioner, such police officer, motor vehicle
416 inspector or constable is authorized to remove the registration number
417 plates from the vehicle and to return them to any branch office of the
418 Department of Motor Vehicles. If a number plate is identified as
419 cancelled on the list provided by the commissioner and such
420 identification is in error, the state shall indemnify any police officer,
421 motor vehicle inspector or constable for any claim for damages made
422 against that individual as a result of [his] such individual's good faith
423 reliance on the accuracy of the list provided by the commissioner
424 regarding the confiscation of number plates.

425 (2) If any police officer observes a motor vehicle being operated
426 upon the public highway or parked in any parking area, as defined in
427 section 14-212, displaying registration number plates identified on the
428 list made available by the commissioner as being cancelled, such police
429 officer may seize and impound the vehicle. If a police officer seizes and
430 impounds a vehicle pursuant to this subdivision, [he] such officer shall
431 give notice to the commissioner in such form as the commissioner may
432 require. The police officer shall give such notice not later than three
433 days after seizing and impounding the vehicle.

434 Sec. 19. Subsection (a) of section 15-76 of the general statutes is
435 repealed and the following is substituted in lieu thereof:

436 (a) The commissioner, any employee of the department, any officer
437 attached to an organized police department, any state police officer or
438 any constable, within his or her precinct, upon discovery of any
439 aircraft apparently abandoned, whether situated within or without any
440 airport or landing field in this state, shall take such aircraft into [his]
441 custody and may cause the same to be taken to and stored in a suitable
442 place. All charges necessarily incurred by such person in the
443 performance of such duty shall be a lien upon such aircraft. The owner
444 or keeper of any hangar or other place where such aircraft is stored
445 shall have a lien upon the same for [his] storage charges. If such
446 aircraft has been so stored for a period of ninety days, such owner or
447 keeper may sell the same at public auction for cash, at [his] such
448 owner's or keeper's place of business, and apply the avails of such sale
449 toward the payment of [his] such owner's or keeper's charges and the
450 payment of any debt or obligation incurred by the person who placed
451 the same in storage, provided such sale shall be advertised three times
452 in a newspaper published or having a circulation in the town where
453 such hangar or other place is located, such advertisement to commence
454 at least five days before such sale; and, if the last place of abode of the
455 owner of such aircraft is known to or may be ascertained by such
456 hangar owner or keeper by the exercise of reasonable diligence, notice
457 of the time and place of sale shall be given such owner by mailing such
458 notice to [him] the owner in a registered or certified letter, postage
459 paid, at such last usual place of abode, at least five days before the time
460 of sale. The proceeds of such sale, after deducting the amount due such
461 hangar owner or keeper and all expenses connected with such sale,
462 including the expenses of the officer who placed such aircraft in
463 storage, shall be paid to the owner of such aircraft or [his] the owner's
464 legal representatives, if claimed by [him] such owner or [them]
465 representatives, at any time within one year from the date of such sale.
466 If such balance is not claimed within said period, it shall escheat to the

467 state.

468 Sec. 20. Section 17a-110a of the general statutes is repealed and the
469 following is substituted in lieu thereof:

470 (a) In order to achieve early permanency for children, decrease
471 children's length of stay in foster care and reduce the number of moves
472 children experience in foster care, the Commissioner of Children and
473 Families shall establish a program for concurrent permanency
474 planning.

475 (b) Concurrent permanency planning involves a planning process to
476 identify permanent placements and prospective adoptive parents so
477 that when termination of parental rights [are] is granted by the court
478 pursuant to section 17a-112 or section 45a-717, permanent placement
479 or adoption proceedings may commence immediately.

480 (c) The commissioner shall establish guidelines and protocols for
481 child-placing agencies involved in concurrent permanency planning,
482 including criteria for conducting concurrent permanency planning
483 based on relevant factors such as: (1) [Age] The age of the child and
484 duration of out-of-home placement; (2) the prognosis for successful
485 reunification with parents; (3) the availability of relatives and other
486 concerned individuals to provide support or a permanent placement
487 for the child; (4) special needs of the child; and (5) other factors
488 affecting the child's best interests, goals of concurrent permanency
489 planning, support services that are available for families, permanency
490 options, and the consequences of not complying with case plans.

491 (d) Within six months of out-of-home placement, the Department of
492 Children and Families shall complete an assessment of the likelihood
493 of the child's being reunited with either or both birth parents, based on
494 progress made to date. The Department of Children and Families shall
495 develop a concurrent permanency plan for families with poor
496 prognosis for reunification within such time period. Such assessment

497 and concurrent permanency plan shall be filed with the court.

498 (e) Concurrent permanency planning programs must include
499 involvement of parents and full disclosure of their rights and
500 responsibilities.

501 (f) The commissioner shall provide ongoing technical assistance,
502 support, and training for local child-placing agencies and other
503 individuals and agencies involved in concurrent permanency
504 planning.

505 Sec. 21. Subsection (e) of section 17a-112 of the general statutes is
506 repealed and the following is substituted in lieu thereof:

507 (e) The terms of a cooperative postadoption agreement may include
508 the following: (1) Provision for communication between the child and
509 either or both birth parents; (2) provision for future contact between
510 either or both birth parents and the child or an adoptive parent; and (3)
511 maintenance of medical history of either or both birth parents who [is a
512 party] are parties to the agreement.

513 Sec. 22. Subsection (o) of section 17a-112 of the general statutes is
514 repealed and the following is substituted in lieu thereof:

515 (o) In the case where termination of parental rights is granted, the
516 guardian of the person or statutory parent shall report to the court
517 within thirty days of the date judgment is entered on a case plan, as
518 defined by the federal Adoption Assistance and Child Welfare Act of
519 1980, for the child which shall include measurable objectives and time
520 schedules. At least every six months thereafter, such guardian or
521 statutory parent shall make a report to the court on the progress made
522 on implementation of the plan. The court shall convene a hearing for
523 the purpose of reviewing the plan for the child no more than twelve
524 months from the date judgment is entered and at least once a year
525 thereafter until the court determines that the adoption plan has

526 become finalized. For children where the commissioner has
527 determined that adoption is appropriate, the report on the
528 implementation of the plan shall include a description of the
529 reasonable efforts the department is taking to promote and expedite
530 the adoptive placement and to finalize the adoption of the child,
531 including documentation of child specific recruitment efforts. If the
532 court determines that the department has not made reasonable efforts
533 to place a child in an adoptive placement or that reasonable efforts
534 have not resulted in the placement of the child, the court may order the
535 Department of Children and Families, within available appropriations,
536 to contract with a child-placing agency to arrange for the adoption of
537 the child. The department, as statutory parent, shall continue to
538 provide [such] care and services for the child while a child-placing
539 agency is arranging for the adoption of the child.

540 Sec. 23. Subsection (b) of section 20-325e of the general statutes is
541 repealed and the following is substituted in lieu thereof:

542 (b) The application, order and summons shall be substantially in the
543 following form:

544 APPLICATION FOR DISCHARGE OR
545 REDUCTION OF REAL PROPERTY
546 CLAIM FOR LIEN

547 To the Court of

548 The undersigned represents:

549 1. That is the owner of the real estate described in Schedule A
550 attached hereto.

551 2. That the names and addresses of all other owners of record of
552 such real estate are as follows:

578 to serve a true and attested copy of the above application and order
579 upon ..., of ... by leaving the same in [his] such person's hands or at
580 [his] such person's usual place of abode (or such other notice as
581 ordered by the court) on or before

582 Hereof fail not but due service and return make.

583 Dated at this day of 20...

584 Commissioner of the Superior Court

585 (1) The clerk upon receipt of all the documents in duplicate, if [he]
586 the clerk finds them to be in proper form, shall fix a date for a hearing
587 on the application and sign the order of hearing and notice. An entry
588 fee of twenty dollars shall then be collected and a copy of the original
589 document shall be placed in the court file.

590 (2) The clerk shall deliver to the applicant's attorney the original of
591 the documents for service. Service having been made, the original
592 documents shall be returned to the court with the endorsement by the
593 officer of [his doings] such officer's actions.

594 Sec. 24. Subsection (b) of section 36b-21 of the general statutes is
595 repealed and the following is substituted in lieu thereof:

596 (b) The following transactions are exempted from sections 36b-16
597 and 36b-22: (1) Any isolated nonissuer transaction, whether effected
598 through a broker-dealer or not; (2) any nonissuer transaction by a
599 registered agent of a registered broker-dealer in a security of a class
600 that has been outstanding in the hands of the public for at least ninety
601 days provided, at the time of the transaction: (A) The security is sold at
602 a price reasonably related to the current market price of the security;
603 (B) the security does not constitute the whole or part of an unsold
604 allotment to, or a subscription or participation by, the broker-dealer as
605 an underwriter of the security; (C) a nationally recognized securities
606 manual contains (i) a description of the business and operations of the

607 issuer; (ii) the names of the issuer's officers and directors or, in the case
608 of a non-United-States issuer, the corporate equivalents of such
609 persons in the issuer's country of domicile; (iii) an audited balance
610 sheet of the issuer as of a date within eighteen months, or in the case of
611 a reorganization or merger where the parties to the reorganization or
612 merger had such audited balance sheet, a pro forma balance sheet; and
613 (iv) an audited income statement for each of the issuer's immediately
614 preceding two fiscal years, or for the period of existence of the issuer, if
615 in existence for less than two years, or in the case of a reorganization or
616 merger where the parties to the reorganization or merger had such
617 audited income statement, a pro forma income statement; and (D) the
618 issuer of the security has a class of equity securities listed on a national
619 securities exchange registered under the Securities Exchange Act of
620 1934, or designated for trading on the National Association of
621 Securities Dealers Automated Quotation System, unless the issuer,
622 including any predecessors of the issuer (i) has been engaged in
623 continuous business for at least three years or (ii) has total assets of at
624 least two million dollars based on an audited balance sheet of the
625 issuer as of a date within eighteen months, or in the case of a
626 reorganization or merger where the parties to the reorganization or
627 merger had such audited balance sheet, a pro forma balance sheet.
628 The exemption in this subdivision shall not be available for any
629 distribution of securities issued by a blank check company, shell
630 company, dormant company or any issuer that has been merged or
631 consolidated with or has bought out a blank check company, shell
632 company or dormant company unless the issuer or any predecessor
633 has continuously operated its business for at least the preceding five
634 years and has had gross operating revenue in each of the preceding
635 five years, including gross operating revenue of at least five hundred
636 thousand dollars per year in three of the preceding five years; (3) any
637 nonissuer distribution of an outstanding security if the security has a
638 fixed maturity or a fixed interest or dividend provision and there has
639 been no default during the current fiscal year or within the three

640 preceding fiscal years, or during the existence of the issuer and any
641 predecessors if less than three years, in the payment of principal,
642 interest or dividends on the security; (4) any nonissuer transaction
643 effected by or through a registered broker-dealer pursuant to an
644 unsolicited order or offer to buy; but the commissioner may by
645 regulation require that the customer acknowledge upon a specified
646 form that the sale was unsolicited, and that a signed copy of each such
647 form be preserved by the broker-dealer for a specified period or that
648 the confirmation delivered to the purchaser or a memorandum
649 delivered in connection therewith shall confirm that such purchase
650 was unsolicited by the broker-dealer or any agent of the broker-dealer;
651 (5) any transaction between the issuer or other person on whose behalf
652 the offering is made and an underwriter, or among underwriters; (6)
653 any transaction in a bond or other evidence of indebtedness secured by
654 a real or chattel mortgage or deed of trust or by an agreement for the
655 sale of real estate or chattels, if the entire mortgage, deed of trust or
656 agreement, together with all the bonds or other evidences of
657 indebtedness secured thereby, is offered and sold as a unit; (7) any
658 transaction by an executor, administrator, state marshal, marshal,
659 receiver, trustee in bankruptcy, creditors' committee in a proceeding
660 under the Bankruptcy Act, guardian or conservator; (8) any transaction
661 executed by a bona fide pledgee without any purpose of evading
662 sections 36b-2 to 36b-33, inclusive; (9) any offer or sale to a bank and
663 trust company, a national banking association, a savings bank, a
664 savings and loan association, a federal savings and loan association, a
665 credit union, a federal credit union, trust company, insurance
666 company, investment company as defined in the Investment Company
667 Act of 1940, pension or profit-sharing trust, or other financial
668 institution or institutional buyer, or to a broker-dealer, whether the
669 purchaser is acting for itself or in some fiduciary capacity; (10) (A)
670 subject to the provisions of this subdivision, any transaction not
671 involving a public offering within the meaning of Section 4(2) of the
672 Securities Act of 1933, but not including any transaction specified in

673 the rules and regulations thereunder. [;] (B) [subject] Subject to the
674 provisions of this subdivision, any transaction made in accordance
675 with the uniform exemption from registration for small issuers
676 authorized in Section 19(c)(3)(C) of the Securities Act of 1933. (C) The
677 exemptions set forth in subparagraphs (A) and (B) of this subdivision
678 shall not be available for transactions in securities issued by any blank
679 check company, shell company or dormant company. (D) The
680 exemptions set forth in subparagraphs (A) and (B) of this subdivision
681 may, with respect to any security or transaction or any type of security
682 or transaction, be modified, withdrawn, further conditioned or waived
683 as to conditions, in whole or in part, conditionally or unconditionally,
684 by the commissioner, acting by regulation, rule or order, on a finding
685 that such regulation, rule or order is necessary or appropriate in the
686 public interest or for the protection of investors. (E) A fee of one
687 hundred fifty dollars shall accompany any filing made with the
688 commissioner pursuant to this subdivision; (11) any offer or sale of a
689 preorganization certificate or subscription if (A) no commission or
690 other remuneration is paid or given directly or indirectly for soliciting
691 any prospective subscriber, (B) the number of subscribers does not
692 exceed ten, and (C) no payment is made by any subscriber; (12) any
693 transaction pursuant to an offer to existing security holders of the
694 issuer, including persons who at the time of the transaction are holders
695 of convertible securities, nontransferable warrants or transferable
696 warrants exercisable within not more than ninety days of their
697 issuance, if (A) no commission or other remuneration other than a
698 standby commission is paid or given directly or indirectly for soliciting
699 any security holder in this state, or (B) the issuer first files a notice, in
700 such form and containing such information as the commissioner may
701 by regulation prescribe, specifying the terms of the offer and the
702 commissioner does not by order disallow the exemption within the
703 next ten full business days; (13) any offer, but not a sale, of a security
704 for which registration statements have been filed under both sections
705 36b-2 to 36b-33, inclusive, and the Securities Act of 1933, if no stop

706 order or refusal order is in effect and no public proceeding or
707 examination looking toward such an order is pending under either
708 said sections or the Securities Act of 1933; (14) any transaction exempt
709 under Section 4(6) of the Securities Act of 1933, and the rules and
710 regulations thereunder. The issuer shall, prior to the first sale, file with
711 the commissioner a notice, in such form and containing such
712 information as the commissioner may by regulation, rule or order
713 prescribe. A fee of one hundred fifty dollars shall accompany any such
714 filing made pursuant to this subdivision; (15) any transaction if all the
715 following conditions are satisfied: (A) The offer and sale is effectuated
716 by the issuer of the security; (B) the total number of purchasers of all
717 securities of the issuer does not exceed ten. A subsequent sale of
718 securities that (i) is registered under sections 36b-2 to 36b-33, inclusive,
719 (ii) is sold pursuant to an exemption under said sections other than this
720 subdivision, or (iii) involves covered securities, shall not be integrated
721 with a sale pursuant to this exemption in computing the number of
722 purchasers hereunder. For the purpose of this subdivision, each of the
723 following is deemed to be a single purchaser of a security: A husband
724 and wife, a child and [his] the parent or guardian of such child when
725 the parent or guardian holds the security for the benefit of the child, a
726 corporation, a partnership, an association or other unincorporated
727 entity, a joint stock company or a trust, but only if the corporation,
728 partnership, association, unincorporated entity, joint stock company or
729 trust was not formed for the purpose of purchasing the security; (C) no
730 advertisement, article, notice or other communication published in any
731 newspaper, magazine or similar medium, or broadcast over television
732 or radio, or any other general solicitation is used in connection with
733 the sale; and (D) no commission, discount or other remuneration is
734 paid or given directly or indirectly in connection with the offer and
735 sale, and the total expenses, excluding legal and accounting fees, in
736 connection with the offer and sale do not exceed one per cent of the
737 total sales price of the securities. For purposes of this subdivision, a
738 difference in the purchase price among the purchasers shall not, in and

739 of itself, be deemed to constitute indirect remuneration; (16) any
740 transaction exempt under Rule 701, 17 CFR Section 230.701
741 promulgated under Section 3(b) of the Securities Act of 1933; (17) any
742 other transaction that the commissioner may exempt, conditionally or
743 unconditionally, on a finding that registration is not necessary or
744 appropriate in the public interest or for the protection of investors.

745 Sec. 25. Subsection (b) of section 45a-488 of the general statutes is
746 repealed and the following is substituted in lieu thereof:

747 (b) Before the date of the division, the trustee or any beneficiary of a
748 trust that is to be divided under subsection (a) of this section or the
749 guardian or guardian ad litem, if any, of each such beneficiary may
750 seek approval of the division, or any beneficiary of a trust that is to be
751 so divided or the guardian or guardian ad litem, if any, of each such
752 beneficiary may object to the division, by petitioning (1) the court of
753 probate having jurisdiction over the estate of the settlor, or [.] (2) in the
754 case of an inter vivos trust, the court of probate having jurisdiction
755 under subsection (c) of this section.

756 Sec. 26. Subdivision (4) of subsection (e) of section 45a-579 of the
757 general statutes is repealed and the following is substituted in lieu
758 thereof:

759 (4) Any future interest that takes effect in possession or enjoyment
760 at or after the termination, whether by death or otherwise, of the
761 interest disclaimed shall, unless otherwise provided in the will, take
762 effect, (A) in the case of a disclaimer by or on behalf of a natural
763 person, as if the disclaimant or the person on whose behalf the
764 disclaimer is made had predeceased the deceased owner or the donee
765 of the power, as the case may be, or [.] (B) in the case of a disclaimer on
766 behalf of a trust, estate, corporation, partnership, limited liability
767 company, foundation, or other entity, as if the disposition to such
768 entity were ineffective.

769 Sec. 27. Subsection (d) of section 45a-583 of the general statutes is
770 repealed and the following is substituted in lieu thereof:

771 (d) A disclaimer under this section shall be effective if made in the
772 following manner: (1) A disclaimer of a present interest shall be
773 delivered not later than the date which is nine months after the later of
774 (A) the effective date of the nontestamentary instrument, or [.] (B) if
775 the disclaimer is made by or on behalf of a natural person, the day on
776 which such person attains the age of eighteen years or, if such person
777 does not survive to the age of eighteen years, the day on which such
778 person dies. (2) A disclaimer of a future interest shall be delivered not
779 later than the date which is nine months after the later of (A) the event
780 determining that the taker of the interest is finally ascertained and
781 such interest is indefeasibly vested or (B) if the disclaimer is made by
782 or on behalf of a natural person, the day on which such person attains
783 the age of eighteen years or, if such person does not survive to the age
784 of eighteen years, the day on which such person dies. (3) If the
785 disclaimant, or the person on whose behalf the disclaimer is made,
786 does not have actual knowledge of the existence of the interest, the
787 disclaimer shall be delivered not later than the date which is nine
788 months after the later of (A) the date on which the disclaimant, or the
789 person on whose behalf the disclaimer is made, first has actual
790 knowledge of the existence of the interest or (B) if the disclaimer is
791 made by or on behalf of a natural person, the day on which such
792 person attains the age of eighteen years or, if such person does not
793 survive to the age of eighteen years, the day on which such person
794 dies. (4) The disclaimer shall be delivered to the transferor of the
795 interest, [his] the transferor's legal representative or the holder of the
796 legal title to the property to which such interest relates. (5) If an
797 interest in real property is disclaimed, a copy of such disclaimer shall
798 also be recorded in the office of the town clerk in which the real
799 property is situated within such nine-month period, and if a copy of
800 such disclaimer is not so recorded, it shall be ineffective against any
801 person other than the disclaimant, or the person on whose behalf such

802 disclaimer is made, but only as to such real property interest. For the
803 purposes of this section, the effective date of a nontestamentary
804 instrument is the date on which the maker no longer has power to
805 revoke it or to transfer to the maker or another the entire legal and
806 equitable ownership of the interest.

807 Sec. 28. Section 45a-610 of the general statutes is repealed and the
808 following is substituted in lieu thereof:

809 If the Court of Probate finds that notice has been given or a waiver
810 has been filed, as provided in section 45a-609, it may remove a parent
811 as guardian, if the court finds by clear and convincing evidence one of
812 the following: (1) The parent consents to his or her removal as
813 guardian; or (2) the minor child has been abandoned by the parent in
814 the sense that the parent has failed to maintain a reasonable degree of
815 interest, concern or responsibility for the minor's welfare; or (3) the
816 minor child has been denied the care, guidance or control necessary for
817 his or her physical, educational, moral or emotional well-being, as a
818 result of acts of parental commission or omission, whether the acts are
819 the result of the physical or mental incapability of the parent or
820 conditions attributable to parental habits, misconduct or neglect, and
821 the parental acts or deficiencies support the conclusion that the parent
822 cannot exercise, or should not in the best interests of the minor child be
823 permitted to exercise, parental rights and duties at [this] the time; or
824 (4) the minor child has had physical injury or injuries inflicted upon
825 the minor child by a person responsible for such child's health, welfare
826 or care, or by a person given access to such child by such responsible
827 person, other than by accidental means, or has injuries which are at
828 variance with the history given of them or is in a condition which is
829 the result of maltreatment such as, but not limited to, malnutrition,
830 sexual molestation, deprivation of necessities, emotional maltreatment
831 or cruel punishment; or (5) the minor child has been found to be
832 neglected or uncared for, as defined in section 46b-120. If, after
833 removal of a parent as guardian under this section, the child has no

834 guardian of his or her person, such a guardian may be appointed
835 under the provisions of section 45a-616.

836 Sec. 29. Section 45a-693 of the general statutes is repealed and the
837 following is substituted in lieu thereof:

838 Upon such application for a determination of ability to give
839 informed consent, such court shall assign a time, not later than thirty
840 days thereafter, and a place for hearing such application. Any hearing
841 held under this section shall be pursuant to sections 51-72 and 51-73.
842 Notwithstanding the provisions of section 45a-7, the court may hold
843 the hearing on said application at a place within the state other than
844 the usual courtroom if it would facilitate the presence of the
845 respondent. Such court shall cause a citation and notice to be served on
846 the following parties at least seven days prior to such hearing date. (1)
847 The court shall direct personal service be made by a state marshal,
848 constable or indifferent person upon the respondent and if the
849 respondent is in [the] a hospital, nursing home, state school or some
850 other institution, in addition to the respondent, upon the chief
851 executive, officer or administrator in such hospital, nursing home, state
852 school or other institution. (2) The court shall order such notice as it
853 directs to the following: (A) The parents of the respondent, if any, (B)
854 the spouse of the respondent, if any, (C) the siblings of such applicant,
855 if any, if the respondent has no living parents, (D) the [office of
856 protection and advocacy] Office of Protection and Advocacy for
857 Persons with Disabilities, and (E) such other persons as the court may
858 determine have interest in the respondent.

859 Sec. 30. Section 45a-694 of the general statutes is repealed and the
860 following is substituted in lieu thereof:

861 Upon [such] the filing of an application for a determination of an
862 individual's ability to give informed consent to sterilization, [being
863 filed,] the court shall appoint legal counsel to represent any
864 respondent who has not selected a counsel to represent such

865 respondent in response to the application. Such legal counsel shall be
866 from a panel of attorneys admitted to practice in this state provided by
867 the Probate Court Administrator in accordance with regulations
868 promulgated by the Probate Court Administrator in accordance with
869 section 45a-77. In establishing such panel, the Probate Court
870 Administrator shall seek recommendations from the Office of
871 Protection and Advocacy for Persons with Disabilities, which may be
872 included in such panel. The reasonable compensation of an appointed
873 legal counsel shall be established by the court. Such compensation
874 shall be charged to the respondent provided, if the court finds such
875 respondent is unable to pay such compensation, it shall be paid from
876 the Probate Court Administration Fund.

877 Sec. 31. Section 45a-695 of the general statutes is repealed and the
878 following is substituted in lieu thereof:

879 At any hearing upon such application, the court shall receive
880 evidence concerning the respondent's ability to give informed consent.
881 Such evidence shall include, but shall not be limited to, reports in
882 writing signed under penalty of false statement from an
883 interdisciplinary team of at least three impartial panel members
884 appointed by the court from a panel of physicians, psychologists,
885 educators [,] and social and residential workers who have personally
886 observed, examined or worked with such respondent at some time
887 during the twelve months preceding such hearing. Such appointments
888 shall be made in accordance with regulations to be promulgated by the
889 Probate Court Administrator in accordance with section 45a-77. The
890 reasonable compensation of such appointed panel members shall be
891 established by the court. Such compensation shall be charged to the
892 respondent provided, if the court finds such respondent is unable to
893 pay such compensation, it shall be paid from the Probate Court
894 Administration Fund. Each such appointed panel member shall make
895 his or her written report under penalty of false statement on a separate
896 form provided for that purpose by the court and shall answer such

897 questions as may be set forth on such form as fully and completely as
898 reasonably possible. The reports shall contain specific information
899 regarding the respondent's ability to give informed consent and shall
900 indicate the specific aspects of informed consent which the respondent
901 lacks. Each such appointed panel member shall state upon the forms
902 the reasons for his or her opinion. Such respondent or his or her
903 counsel shall have the right to present evidence and cross-examine
904 witnesses who testify at any hearing on the application. If such
905 respondent or his or her counsel notifies the court not less than three
906 days before the hearing that he or she wishes to cross-examine the
907 appointed panel members, the court shall order such members to
908 appear.

909 Sec. 32. Section 45a-731 of the general statutes is repealed and the
910 following is substituted in lieu thereof:

911 A final decree of adoption, whether issued by a court of this state or
912 a court of any other jurisdiction, shall have the following effect in this
913 state:

914 (1) All rights, duties and other legal consequences of the biological
915 relation of child and parent shall thereafter exist between the adopted
916 person and the adopting parent and the relatives of such adopting
917 parent. Such adopted person shall be treated as if such adopted person
918 were the biological child of the adopting parent, for all purposes
919 including the applicability of statutes which do not expressly exclude
920 an adopted person in their operation or effect;

921 (2) The adopting parent and the adopted person shall have rights of
922 inheritance from and through each other and the biological and
923 adopted relatives of the adopting parent. The right of inheritance of an
924 adopted person extends to the heirs of such adopted person, and such
925 heirs shall be the same as if such adopted person were the biological
926 child of the adopting parent;

927 (3) The adopted person and the biological children and other
928 adopted children of the adopting parent shall be treated, unless
929 otherwise provided by statute, as siblings, having rights of inheritance
930 from and through each other. Such rights of inheritance extend to the
931 heirs of such adopted person and of the biological children and other
932 adopted children, and such heirs shall be the same as if each such
933 adopted person were the biological child of the adopting parent;

934 (4) The adopted person shall, except as hereinafter provided, be
935 treated as if such adopted person were the biological child of the
936 adopting parent for purposes of the applicability of all documents and
937 instruments, whether executed before or after the adoption decree is
938 issued, which do not expressly exclude an adopted person in their
939 operation or effect. The words "child", "children", "issue", "descendant",
940 "descendants", "heir", "heirs", "lawful heirs", "grandchild" and
941 "grandchildren", when used in any will or trust instrument shall
942 include legally adopted persons unless such document clearly
943 indicates a contrary intention. Nothing in this section shall be
944 construed to alter or modify the provisions of section 45a-257
945 concerning revocation of a will when a child is born as the result of
946 artificial insemination;

947 (5) Except in the case of an adoption as provided in subdivision (2)
948 or (3) of subsection (a) of section 45a-724, the legal relationship
949 between the adopted person and the adopted person's biological
950 parent or parents and the relatives of such biological parent or parents
951 is terminated for all purposes, including the applicability of statutes
952 which do not expressly include such an adopted person in their
953 operation and effect. The biological parent or parents of the adopted
954 person ~~[is]~~ are relieved of all parental rights and responsibilities;

955 (6) Except in the case of an adoption as provided in subdivision (2)
956 or (3) of subsection (a) of section 45a-724, the biological parent or
957 parents and their relatives shall have no rights of inheritance from or

958 through the adopted person, nor shall the adopted person have any
959 rights of inheritance from or through the biological parent or parents
960 of the adopted person and the relatives of such biological parent or
961 parents, except as provided in this section;

962 (7) Except in the case of an adoption as provided in subdivision (2)
963 or (3) of subsection (a) of section 45a-724, the legal relationship
964 between the adopted person and the adopted person's biological
965 parent or parents and the relatives of such biological parent or parents
966 is terminated for purposes of the construction of documents and
967 instruments, whether executed before or after the adoption decree is
968 issued, which do not expressly include the individual by name or by
969 some designation not based on a parent and child or blood
970 relationship, except as provided in this section;

971 (8) Notwithstanding the provisions of subdivisions (1) to (7),
972 inclusive, of this section, when one of the biological parents of a minor
973 child has died and the surviving parent has remarried subsequent to
974 such parent's death, adoption of such child by the person with whom
975 such remarriage is contracted shall not affect the rights of such child to
976 inherit from or through the deceased parent and the deceased parent's
977 relatives;

978 (9) Nothing in this section shall deprive an adopted person who is
979 the biological child of a veteran who served in time of war as defined
980 in section 27-103 of aid under the provisions of section 27-140 or
981 deprive a child receiving benefits under the Social Security Act, 42
982 USC Sec. 301 et seq., as amended from time to time, from continued
983 receipt of benefits authorized under said act;

984 (10) Except as provided in subdivision (11) of this section, the
985 provisions of law in force prior to October 1, 1959, affected by the
986 provisions of this section shall apply to the estates or wills of persons
987 dying prior to said date and to inter vivos instruments executed prior
988 to said date and which on said date were not subject to the grantor's

989 power to revoke or amend;

990 (11) The provisions of subdivisions (1) to (9), inclusive, of this
991 section shall apply to the estate or wills of persons dying prior to
992 October 1, 1959, and to inter vivos instruments executed prior to said
993 date and which on said date were not subject to the grantor's power to
994 revoke or amend, unless (A) a contrary intention of the testator or
995 grantor is demonstrated by clear and convincing evidence, or (B)
996 distribution of the estate or under the will or under the inter vivos
997 instrument has been or will be made pursuant to court order entered
998 prior to October 1, 1991;

999 (12) No fiduciary, distributee of the estate [,] or person to whom a
1000 legacy has been paid shall be liable to any other person for any action
1001 taken or benefit received prior to October 1, 1991, provided any such
1002 action was taken or benefit was received in good faith by such
1003 fiduciary, distributee or legatee with respect to the applicability of
1004 statutes concerning the rights of inheritance or rights to take of
1005 adopted persons under any instrument executed prior to October 1,
1006 1959;

1007 (13) No fiduciary shall have the obligation to determine the rights of
1008 inheritance or rights to take of an adopted person under an instrument
1009 executed prior to October 1, 1959, unless the fiduciary receives a
1010 written claim for benefits by or on behalf of such adopted person.

1011 Sec. 33. Subsection (a) of section 46a-13d of the general statutes is
1012 repealed and the following is substituted in lieu thereof:

1013 (a) All state, local and private agencies shall have a duty to
1014 cooperate with any investigation conducted by the Office of the Victim
1015 Advocate. Consistent with the provisions of the general statutes
1016 concerning the confidentiality of records and information, the Victim
1017 Advocate shall have access to, including the right to inspect and copy,
1018 any records necessary to carry out the responsibilities of the Victim

1019 Advocate as provided in section 46a-13c. Nothing contained in this
1020 subsection shall be construed to waive a victim's right to
1021 confidentiality of [communication] communications or records as
1022 protected by [and provisions] any provision of the general statutes or
1023 common law.

1024 Sec. 34. Subsection (a) of section 46a-13k of the general statutes is
1025 repealed and the following is substituted in lieu thereof:

1026 (a) There is established an Office of the Child Advocate. The
1027 Governor, with the approval of the General Assembly, shall appoint a
1028 person with knowledge of the child welfare system and the legal
1029 system to fill the Office of the Child Advocate. Such person shall be
1030 qualified by training and experience to perform the duties of the office
1031 as set forth in section 46a-13l. The appointment shall be made from a
1032 list of at least three persons prepared and submitted by the advisory
1033 committee established pursuant to section 46a-13q. Upon any vacancy
1034 in the position of Child Advocate, the advisory committee shall meet
1035 to consider and interview successor candidates and shall submit to the
1036 Governor a list of no less than five and no more than seven of the most
1037 outstanding candidates, [on or before] not later than sixty days after
1038 the occurrence of said vacancy. Such list shall rank the candidates in
1039 the order of committee preference. Upon receipt of the list of
1040 candidates from the advisory committee, the Governor shall designate
1041 a candidate for Child Advocate from among the choices within eight
1042 weeks of receipt of such list. If at any time any of the candidates
1043 withdraw from consideration prior to confirmation by the General
1044 Assembly, the designation shall be made from the remaining
1045 candidates on the list submitted to the Governor. If a candidate has not
1046 been designated by the Governor within the eight-week time period,
1047 the candidate ranked first shall receive the designation and be referred
1048 to the General Assembly for confirmation. If the General Assembly is
1049 not in session, the designated candidate shall serve as acting Child
1050 Advocate [,] and be entitled to the compensation, privileges and

1051 powers of the Child Advocate until the General Assembly meets to
1052 take action on said appointment. The person appointed Child
1053 Advocate shall serve for a term of four years and may be reappointed
1054 or shall continue to hold office until such person's successor is
1055 appointed and qualified. Upon any vacancy in the position of Child
1056 Advocate and until such time as a candidate has been confirmed by the
1057 General Assembly or, if the General Assembly is not in session, has
1058 been designated by the Governor, the Associate Child Advocate shall
1059 serve as the acting Child Advocate and be entitled to the
1060 compensation, privileges and powers of the Child Advocate.

1061 Sec. 35. Subsection (b) of section 46b-37 of the general statutes is
1062 repealed and the following is substituted in lieu thereof:

1063 (b) Notwithstanding the provisions of subsection (a) of this section,
1064 it shall be the joint duty of each spouse to support his or her family,
1065 and both shall be liable for: (1) The reasonable and necessary services
1066 of a physician or dentist; (2) hospital expenses rendered the husband
1067 or wife or minor child while residing in the family of [its] his or her
1068 parents; (3) the rental of any dwelling unit actually occupied by the
1069 husband and wife as a residence and reasonably necessary to them for
1070 that purpose; and (4) any article purchased by either which has in fact
1071 gone to the support of the family, or for the joint benefit of both.

1072 Sec. 36. Subsection (b) of section 46b-125 of the general statutes is
1073 repealed and the following is substituted in lieu thereof:

1074 (b) Probation officers shall make such investigations and reports as
1075 the court directs or the law requires. They shall execute the orders of
1076 the court; and, for that purpose, such probation officers, and any other
1077 employees specifically designated by the court to assist the probation
1078 officers in the enforcement of such orders, shall have the authority of a
1079 state marshal. They shall preserve a record of all cases investigated or
1080 coming under their care, and shall keep informed concerning the
1081 conduct and condition of each person under supervision and report

1082 thereon to the court as it may direct. Any juvenile probation officer or
1083 juvenile matters investigator, authorized by the Office of the Chief
1084 Court Administrator, may arrest any juvenile on probation without a
1085 warrant or may deputize any other officer with power to arrest to do
1086 so by giving [him] such officer a written statement setting forth that
1087 the juvenile has, in the judgment of the juvenile probation officer or
1088 juvenile matters investigator, violated the conditions of [his] probation.
1089 When executing such orders of the court, except when using deadly
1090 physical force, juvenile probation officers and juvenile matters
1091 investigators shall be deemed to be acting in the capacity of a peace
1092 officer, as defined in subdivision (9) of section 53a-3.

1093 Sec. 37. Subsection (a) of section 46b-129 of the general statutes is
1094 repealed and the following is substituted in lieu thereof:

1095 (a) Any selectman, town manager, or town, city, or borough welfare
1096 department, any probation officer, or the Commissioner of Social
1097 Services, the Commissioner of Children and Families or any child-
1098 caring institution or agency approved by the Commissioner of
1099 Children and Families, a child or [his] such child's representative or
1100 attorney or a foster parent of a child, having information that a child or
1101 youth is neglected, uncared-for or dependent, may file with the
1102 Superior Court which has venue over such matter a verified petition
1103 plainly stating such facts as bring the child or youth within the
1104 jurisdiction of the court as neglected, uncared-for, or dependent,
1105 within the meaning of section 46b-120, the name, date of birth, sex, and
1106 residence of the child or youth, the name and residence of [his] such
1107 child's parents or guardian, and praying for appropriate action by the
1108 court in conformity with the provisions of this chapter. Upon the filing
1109 of such a petition, except as otherwise provided in subsection (k) of
1110 section 17a-112, the court shall cause a summons to be issued requiring
1111 the parent or parents or the guardian of the child or youth to appear in
1112 court at the time and place named, which summons shall be served not
1113 less than fourteen days before the date of the hearing in the manner

1114 prescribed by section 46b-128, and said court shall further give notice
1115 to the petitioner and to the Commissioner of Children and Families of
1116 the time and place when the petition is to be heard not less than
1117 fourteen days prior to the hearing in question.

1118 Sec. 38. Subsection (k) of section 46b-129 of the general statutes is
1119 repealed and the following is substituted in lieu thereof:

1120 (k) (1) Ten months after the adjudication of neglect of the child or
1121 youth or twelve months after the vesting of temporary care and
1122 custody pursuant to subsection (b) of this section, whichever is earlier,
1123 the commissioner shall file a motion for review of a permanency plan
1124 and to extend or revoke the commitment. Ten months after a
1125 permanency plan has been approved by the court pursuant to this
1126 subsection, unless the court has approved placement in long-term
1127 foster care with an identified person or an independent living
1128 program, or the commissioner has filed a petition for termination of
1129 parental rights or motion to transfer guardianship, the commissioner
1130 shall file a motion for review of the permanency plan to extend or
1131 revoke the commitment. A hearing on any such motion shall be held
1132 within sixty days of the filing. The court shall provide notice to the
1133 child or youth, and [his] such child's or youth's parent or guardian of
1134 the time and place of the court hearing on any such motion not less
1135 than fourteen days prior to such hearing.

1136 (2) At such hearing, the court shall determine whether it is
1137 appropriate to continue to make reasonable efforts to reunify the child
1138 or youth with the parent. In making this determination, the court shall
1139 consider the best interests of the child, including the child's need for
1140 permanency. If the court finds that further efforts are not appropriate,
1141 the commissioner has no duty to make further efforts to reunify the
1142 child or youth with the parent. If the court finds that further efforts are
1143 appropriate, such efforts shall ensure that the child or youth's health
1144 and safety are protected and such efforts shall be specified by the

1145 court, including the services to be provided to the parent, what steps
1146 the parent may take to address the problem that prevents the child or
1147 youth from safely reuniting with the parent and a time period, not
1148 longer than six months, for such steps to be accomplished.

1149 (3) At such hearing, the court shall approve a permanency plan that
1150 is in the best interests of the child or youth and takes into
1151 consideration the child or youth's need for permanency. Such
1152 permanency plan may include (A) revocation of commitment and
1153 placement of the child or youth with the parent or guardian, with or
1154 without protective supervision; (B) placing the child or youth in an
1155 independent living program; (C) transfer of guardianship; (D)
1156 approval of long-term foster care with an identified foster parent; (E)
1157 filing of termination of parental rights; (F) if the permanency plan
1158 identifies adoption as an option, a thorough adoption assessment and
1159 child specific recruitment. As used in this subdivision, "thorough
1160 adoption assessment" means conducting and documenting face-to-face
1161 interviews with the child, foster care providers [,] and other significant
1162 parties, and "child specific recruitment" means recruiting an adoptive
1163 placement targeted to meet the individual needs of the specific child,
1164 including, but not limited to, use of the media, use of photo-listing
1165 services and any other in-state or out-of-state resources that may be
1166 used to meet the specific needs of the child, unless there are
1167 extenuating circumstances that indicate that these efforts are not in the
1168 best interest of the child; or (G) such other appropriate action ordered
1169 by the court. At the permanency plan hearing, the court shall review
1170 the status of the child, the progress being made to implement the
1171 permanency plan and determine a timetable for attaining the
1172 permanency prescribed by the plan. The court shall extend
1173 commitment if extension is in the best interests of the child or youth
1174 for a period of twelve months. The court shall revoke commitment if a
1175 cause for commitment no longer exists and it is in the best interests of
1176 the child or youth.

1177 Sec. 39. Section 46b-144 of the general statutes is repealed and the
1178 following is substituted in lieu thereof:

1179 In committing a child or youth to a custodial agency, other than [its]
1180 such child's or youth's natural guardians, the court shall, as far as
1181 practicable, select as such agency some person of like faith to that of
1182 the parent or parents of the child or youth or some agency or
1183 institution governed by persons of such faith, unless such agency or
1184 institution is a state or municipal agency or institution. In the order of
1185 committal, the court shall designate some indifferent person to serve
1186 the commitment process, and such indifferent person may be
1187 accompanied by any suitable relative or friend of such child or youth.
1188 If the person designated to serve such commitment process is an
1189 officer, such officer shall not serve such commitment process while
1190 dressed in the uniform of any police officer, and no such officer shall,
1191 while serving any such commitment process, wear plainly displayed
1192 any police officer's badge.

1193 Sec. 40. Section 46b-150 of the general statutes is repealed and the
1194 following is substituted in lieu thereof:

1195 Any minor who has reached his or her sixteenth birthday and is
1196 residing in this state, or any parent or guardian of such minor, may
1197 petition the superior court for juvenile matters or the probate court for
1198 the district in which either the minor or [his] such minor's parents or
1199 guardian resides for a determination that the minor named in the
1200 petition be emancipated. The petition shall be verified and shall state
1201 plainly: (1) The facts which bring the minor within the jurisdiction of
1202 the court, (2) the name, date of birth, sex and residence of the minor,
1203 (3) the name and residence of [his] such minor's parent, parents or
1204 guardian, and (4) the name of the petitioner and [his] the petitioner's
1205 relationship to the minor. Upon the filing of the petition in the
1206 Superior Court, the court shall cause a summons to be issued to the
1207 minor and [his] such minor's parent, parents or guardian, in the

1208 manner provided in section 46b-128. Upon the filing of the petition in
1209 the Probate Court, the court shall assign a time, not later than thirty
1210 days thereafter, and a place for hearing such petition. The court shall
1211 cause a citation and notice to be served on the minor and [his] the
1212 minor's parent, if the parent is not the petitioner, at least seven days
1213 prior to the hearing date, by a state marshal, constable or indifferent
1214 person. The court shall direct notice by certified mail to the parent, if
1215 the parent is the petitioner. The court shall order such notice as it
1216 directs to the Commissioner of Children and Families, and other
1217 persons having an interest in the minor.

1218 Sec. 41. Subsection (a) of section 46b-160 of the general statutes is
1219 repealed and the following is substituted in lieu thereof:

1220 (a) Proceedings to establish paternity of a child born or conceived
1221 out of lawful wedlock, including one born to, or conceived by, a
1222 married woman but begotten by a man other than her husband, shall
1223 be commenced by the service on the putative father of a verified
1224 petition of the mother or expectant mother. The verified petition,
1225 summons and order shall be filed in the superior court for the judicial
1226 district in which either she or the putative father resides, except that in
1227 IV-D support cases, as defined in subdivision (13) of subsection (b) of
1228 section 46b-231 and in petitions brought under sections 46b-212 to 46b-
1229 213v, inclusive, such petition shall be filed with the clerk for the Family
1230 Support Magistrate Division serving the judicial district where either
1231 she or the putative father resides. In cases involving public assistance
1232 recipients the petition shall also be served upon the Attorney General
1233 who shall be and remain a party to any paternity proceeding and to
1234 any proceedings after judgment in such action. The court or any judge,
1235 or family support magistrate, assigned to said court shall cause a
1236 summons, signed by [him] such judge or magistrate, by the clerk of
1237 said court, or by a commissioner of the Superior Court to be issued,
1238 requiring the putative father to appear in court at a time and place as
1239 determined by the clerk but not more than ninety days after the

1240 issuance of the summons to show cause [, if any he has,] why the
1241 request for relief in such petition should not be granted. A state
1242 marshal, proper officer or investigator shall make due returns of
1243 process to the court not less than twenty-one days before the date
1244 assigned for hearing. Such petition, summons and order shall be on
1245 forms prescribed by the Office of the Chief Court Administrator. In the
1246 case of a child or expectant mother being supported wholly or in part
1247 by the state, service of such petition may be made by any investigator
1248 employed by the Department of Social Services and any proper officer
1249 authorized by law. Such petition may be brought at any time prior to
1250 the child's eighteenth birthday, provided liability for past support shall
1251 be limited to the three years next preceding the date of the filing of any
1252 such petition. If the putative father fails to appear in court at such time
1253 and place, the court or family support magistrate shall hear the
1254 petitioner and, upon a finding that process was served on the putative
1255 father, shall enter a default judgment of paternity against such father
1256 and such other orders as the facts may warrant. Such court or family
1257 support magistrate may order continuance of such hearing; and if such
1258 mother or expectant mother continues constant in her accusation, it
1259 shall be evidence that the respondent is the father of such child. The
1260 court or family support magistrate shall, upon motion by a party, issue
1261 an order for temporary support of the child by the respondent pending
1262 a final judgment of the issue of paternity if such court or magistrate
1263 finds that there is clear and convincing evidence of paternity which
1264 evidence shall include, but not be limited to, genetic test results
1265 indicating a ninety-nine per cent or greater probability that such
1266 respondent is the father of the child.

1267 Sec. 42. Subsection (c) of section 46b-172 of the general statutes is
1268 repealed and the following is substituted in lieu thereof:

1269 (c) At any time after the signing of any acknowledgment of
1270 paternity, upon the application of any interested party, the court or
1271 any judge thereof or any family support magistrate in IV-D support

1272 cases and in matters brought under sections 46b-212 to 46b-213v,
1273 inclusive, shall cause a summons, signed by [him] such judge or
1274 magistrate, by the clerk of said court or by a commissioner of the
1275 Superior Court, to be issued, requiring the acknowledged father to
1276 appear in court at a time and place as determined by the clerk but not
1277 more than ninety days after the issuance of the summons, to show
1278 cause [, if any he has,] why the court or the family support magistrate
1279 assigned to the judicial district in IV-D support cases should not enter
1280 judgment for support of the child by payment of a periodic sum until
1281 the child attains the age of eighteen years, together with provision for
1282 reimbursement for past due support based upon ability to pay in
1283 accordance with the provisions of section 17b-81, 17b-223, subsection
1284 (b) of section 17b-179, section 17a-90, 46b-129 or 46b-130, a provision
1285 for health coverage of the child as required by section 46b-215, and
1286 reasonable expense of the action under this subsection. Such court or
1287 family support magistrate, in IV-D cases, shall also have the authority
1288 to order the acknowledged father who is subject to a plan for
1289 reimbursement of past-due support and is not incapacitated, to
1290 participate in work activities which may include, but shall not be
1291 limited to, job search, training, work experience and participation in
1292 the job training and retraining program established by the Labor
1293 Commissioner pursuant to section 31-3t. The application, summons
1294 and order shall be on forms prescribed by the Office of the Chief Court
1295 Administrator. Proceedings to obtain such orders of support shall be
1296 commenced by the service of such summons on the acknowledged
1297 father. A state marshal or proper officer shall make due return of
1298 process to the court not less than twenty-one days before the date
1299 assigned for hearing. The prior judgment as to paternity shall be res
1300 judicata as to that issue for all paternity acknowledgments filed with
1301 the court on or after March 1, 1981, but before July 1, 1997, and shall
1302 not be reconsidered by the court unless the person seeking review of
1303 the acknowledgment petitions the superior court for the judicial
1304 district having venue for a hearing on the issue of paternity within

1305 three years of such judgment. In addition to such review, if the
1306 acknowledgment of paternity was filed prior to March 1, 1981, the
1307 acknowledgment of paternity may be reviewed by denying the
1308 allegation of paternity in response to the initial petition for support,
1309 whenever it is filed. All such payments shall be made to the petitioner,
1310 except that in IV-D support cases, as defined in subsection (b) of
1311 section 46b-231, payments shall be made to the state, acting by and
1312 through the IV-D agency.

1313 Sec. 43. Subdivision (9) of subsection (b) of section 47-36aa of the
1314 general statutes is repealed and the following is substituted in lieu
1315 thereof:

1316 (9) In the case of a conveyance by a corporation, limited liability
1317 company, partnership, limited partnership or limited liability
1318 partnership, or by any other entity authorized to hold and convey title
1319 to real property within this state, the instrument [designated]
1320 designates such entity as the grantor but fails to disclose the authority
1321 of the individual who executes and acknowledges the instrument.

1322 Sec. 44. Subsection (a) of section 47a-42 of the general statutes is
1323 repealed and the following is substituted in lieu thereof:

1324 (a) Whenever a judgment is entered against a defendant pursuant to
1325 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
1326 possession or occupancy of residential property, such defendant and
1327 any other occupant bound by the judgment by subsection (a) of section
1328 47a-26h shall forthwith remove himself [, his] or herself, such
1329 defendant's or occupant's possessions and all personal effects unless
1330 execution has been stayed pursuant to sections 47a-35 to 47a-41,
1331 inclusive. If execution has been stayed, such defendant or occupant
1332 shall forthwith remove himself [, his] or herself, such defendant's or
1333 occupant's possessions and all personal effects upon the expiration of
1334 any stay of execution. If the defendant or occupant has not so removed
1335 himself or herself upon entry of a judgment pursuant to section 47a-26,

1336 47a-26a, 47a-26b or 47a-26d, and upon expiration of any stay of
1337 execution, the plaintiff may obtain an execution upon such summary
1338 process judgment, and the defendant or other occupant bound by the
1339 judgment by subsection (a) of section 47a-26h and the possessions and
1340 personal effects of such defendant or other occupant may be removed
1341 by a state marshal, pursuant to such execution, and such possessions
1342 and personal effects may be set out on the adjacent sidewalk, street or
1343 highway.

1344 Sec. 45. Section 47a-42a of the general statutes is repealed and the
1345 following is substituted in lieu thereof:

1346 (a) Whenever a judgment is entered against a defendant pursuant to
1347 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the possession or
1348 occupancy of nonresidential property, such defendant and any other
1349 occupant bound by the judgment by subsection (a) of section 47a-26h
1350 shall forthwith remove himself [, his] or herself, such defendant's or
1351 occupant's possessions and all personal effects unless execution has
1352 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If
1353 execution has been stayed, such defendant or occupant shall forthwith
1354 remove himself [, his] or herself, such defendant's or occupant's
1355 possessions and all personal effects upon the expiration of any stay of
1356 execution. If the defendant or occupant has not so removed himself or
1357 herself upon entry of a judgment pursuant to section 47a-26, 47a-26a,
1358 47a-26b or 47a-26d, and upon expiration of any stay of execution, the
1359 plaintiff may obtain an execution upon such summary process
1360 judgment, and the defendant or other occupant bound by the
1361 judgment by subsection (a) of section 47a-26h and the possessions and
1362 personal effects of such defendant or other occupant may be removed
1363 as provided in this section.

1364 (b) The state marshal charged with executing upon any such
1365 summary process judgment shall, at least twenty-four hours prior to
1366 the date and time of the eviction, use reasonable efforts to locate and

1367 notify the defendant or occupant of the date and time such eviction is
1368 to take place. Such notice shall include service upon each defendant
1369 and upon any other person in occupancy, either personally or at the
1370 premises, of a true copy of the summary process execution. Such
1371 execution shall be on a form prescribed by the Judicial Department,
1372 shall be in clear and simple language and in readable format, and shall
1373 contain, in addition to other notices given to the defendant or occupant
1374 in the execution, a conspicuous notice, in large boldface type, that a
1375 person who claims to have a right to continue to occupy the premises
1376 should immediately contact an attorney. Such execution shall contain a
1377 notice advising the defendant or occupant that if he or she does not
1378 remove [his] such defendant's or occupant's possessions and personal
1379 effects from the premises by the date and time set for the eviction and
1380 thereafter fails to claim such possessions and personal effects from the
1381 landlord and pay any removal and storage costs within fifteen days
1382 after the date of such eviction, such possessions and personal effects
1383 will be forfeited to the landlord.

1384 (c) The state marshal who served the execution upon the defendant
1385 or occupant as provided in subsection (b) of this section shall return to
1386 the premises at the date and time such eviction is to take place. If the
1387 defendant or occupant has not removed himself or herself from the
1388 premises, the state marshal shall remove such defendant or occupant.
1389 If the defendant or occupant has not removed [his] such defendant's or
1390 occupant's possessions and personal effects from the premises, the
1391 plaintiff, in the presence of the state marshal, shall prepare an
1392 inventory of such possessions and personal effects and provide a copy
1393 of such inventory to the state marshal. The plaintiff shall remove and
1394 store such possessions or personal effects or shall store the same in the
1395 premises. Such removal and storage or storage in the premises shall be
1396 at the expense of the defendant. If such possessions and effects are not
1397 called for by the defendant or occupant and the expense of such
1398 removal and storage or storage in the premises is not paid to the
1399 plaintiff within fifteen days after such eviction, the defendant or

1400 occupant shall forfeit such possessions and personal effects to the
1401 plaintiff and the plaintiff may dispose of them as [he] the plaintiff
1402 deems appropriate.

1403 Sec. 46. Subsection (a) of section 49-35 of the general statutes is
1404 repealed and the following is substituted in lieu thereof:

1405 (a) No person other than the original contractor for the construction,
1406 raising, removal or repairing of the building, or the development of
1407 any lot, or the site development or subdivision of any plot of land or a
1408 subcontractor whose contract with the original contractor is in writing
1409 and has been assented to in writing by the other party to the original
1410 contract, is entitled to claim any such mechanic's lien, unless, after
1411 commencing, and not later than ninety days after ceasing, to furnish
1412 materials or render services for such construction, raising, removal or
1413 repairing, [he] such person gives written notice to the owner of the
1414 building, lot or plot of land and to the original contractor that he or she
1415 has furnished or commenced to furnish materials, or rendered or
1416 commenced to render services, and intends to claim a lien therefor on
1417 the building, lot or plot of land; provided an original contractor shall
1418 not be entitled to such notice, unless, not later than fifteen days after
1419 commencing the construction, raising, removal or repairing of the
1420 building, or the development of any lot, or the site development or
1421 subdivision of any plot of land, such original contractor lodges with
1422 the town clerk of the town in which the building, lot or plot of land is
1423 situated an affidavit in writing, which shall be recorded by the town
1424 clerk with deeds of land, (1) stating the name under which such
1425 original contractor conducts business, (2) stating [his] the original
1426 contractor's business address, and (3) describing the building, lot or
1427 plot of land. The right of any person to claim a lien under this section
1428 shall not be affected by the failure of such affidavit to conform to the
1429 requirements of this section. The notice shall be served upon the owner
1430 or original contractor, if such owner or original contractor resides in
1431 the same town in which the building is being erected, raised, removed

1432 or repaired or the lot is being improved, or the plot of land is being
1433 improved or subdivided, by any indifferent person, state marshal or
1434 other proper officer, by leaving with such owner or original contractor
1435 or at [his] such owner's or the original contractor's usual place of abode
1436 a true and attested copy thereof. If the owner or original contractor
1437 does not reside in such town, but has a known agent therein, the notice
1438 may be so served upon the agent, otherwise it may be served by any
1439 indifferent person, state marshal or other proper officer, by mailing a
1440 true and attested copy of the notice by registered or certified mail to
1441 the owner or original contractor at the place where [he] such owner or
1442 the original contractor resides. If such copy is returned unclaimed,
1443 notice to such owner or original contractor shall be given by
1444 publication in accordance with the provisions of section 1-2. When
1445 there are two or more owners, or two or more original contractors, the
1446 notice shall be so served on each owner and on each original
1447 contractor. The notice, with the return of the person who served it
1448 endorsed thereon, shall be returned to the original maker of the notice
1449 within said period of ninety days.

1450 Sec. 47. Subsection (b) of section 49-35a of the general statutes is
1451 repealed and the following is substituted in lieu thereof:

1452 (b) The application, order and summons shall be substantially in the
1453 following form:

1454 APPLICATION FOR DISCHARGE OR
1455 REDUCTION OF MECHANIC'S LIEN

1456 To the Court of

1457 The undersigned represents:

1458 1. That is the owner of the real estate described in Schedule A
1459 attached hereto.

1460 2. That the names and addresses of all other owners of record of
1461 such real estate are as follows:

1462 3. That on or about ..., (date) ..., (name of lienor) of ... (address of
1463 lienor) placed a mechanic's lien on such real estate and gave notice
1464 thereof.

1465 4. That there is not probable cause to sustain the validity of such lien
1466 (or: That such lien is excessive).

1467 5. That the applicant seeks an order for discharge (or reduction) of
1468 such lien.

1469 Name of Applicant

1470 By ...

1471 [His] Applicant's Attorney

1472 ORDER

1473 The above application having been presented to the court, it is
1474 hereby ordered, that a hearing be held thereon at ... a.m. and that the
1475 applicant give notice to the following persons: (Names and addresses
1476 of persons entitled to notice) of the pendency of said application and of
1477 the time when it will be heard by causing a true and attested copy of
1478 the application, and of this order to be served upon such persons by
1479 some proper officer or indifferent person on or before ... and that due
1480 return of such notice be made to this court.

1481 Dated at ... this ... day of ... 20...

1482 SUMMONS

1483 To a state marshal of the county of ..., or either constable of the
1484 town of ..., in said county,

1485 Greeting:

1486 By authority of the state of Connecticut, you are hereby commanded
1487 to serve a true and attested copy of the above application and order
1488 upon ..., of ... by leaving the same in [his] such person's hands or at
1489 [his] such person's usual place of abode (or such other notice as
1490 ordered by the court) on or before ...

1491 Hereof fail not but due service and return make.

1492 Dated at ... this ... day of ... 20...

1493

1494 Commissioner of the Superior Court

1495 (1) [The] If the clerk upon receipt of all the documents in duplicate,
1496 [if he] finds them to be in proper form, the clerk shall fix a date for a
1497 hearing on the application and sign the order of hearing and notice. An
1498 entry fee of twenty dollars shall then be collected and a copy of the
1499 original document shall be placed in the court file.

1500 (2) The clerk shall deliver to the applicant's attorney the original of
1501 the documents for service. Service having been made, the original
1502 documents shall be returned to the court with the endorsement by the
1503 officer of [his doings] such officer's actions.

1504 Sec. 48. Section 49-42 of the general statutes is repealed and the
1505 following is substituted in lieu thereof:

1506 (a) Any person who performed work or supplied materials for
1507 which a requisition was submitted to, or for which an estimate was
1508 prepared by, the awarding authority and who does not receive full
1509 payment for such work or materials within sixty days of the applicable
1510 payment date provided for in subsection (a) of section 49-41a, or any
1511 person who supplied materials or performed subcontracting work not

1512 included on a requisition or estimate who has not received full
1513 payment for such materials or work within sixty days after the date
1514 such materials were supplied or such work was performed, may
1515 enforce [his] such person's right to payment under the bond by serving
1516 a notice of claim on the surety that issued the bond and a copy of such
1517 notice to the contractor named as principal in the bond within one
1518 hundred eighty days of the applicable payment date provided for in
1519 subsection (a) of section 49-41a, or, in the case of a person supplying
1520 materials or performing subcontracting work not included on a
1521 requisition or estimate, within one hundred eighty days after the date
1522 such materials were supplied or such work was performed. The notice
1523 of claim shall state with substantial accuracy the amount claimed and
1524 the name of the party for whom the work was performed or to whom
1525 the materials were supplied, and shall provide a detailed description
1526 of the bonded project for which the work or materials were provided.
1527 If the content of a notice prepared in accordance with subsection (b) of
1528 section 49-41a complies with the requirements of this section, a copy of
1529 such notice, served within one hundred eighty days of the payment
1530 date provided for in subsection (a) of section 49-41a upon the surety
1531 that issued the bond and upon the contractor named as principal in the
1532 bond, shall satisfy the notice requirements of this section. Within
1533 ninety days after service of the notice of claim, the surety shall make
1534 payment under the bond and satisfy the claim, or any portion of the
1535 claim which is not subject to a good faith dispute, and shall serve a
1536 notice on the claimant denying liability for any unpaid portion of the
1537 claim. The notices required under this section shall be served by
1538 registered or certified mail, postage prepaid in envelopes addressed to
1539 any office at which the surety, principal or claimant conducts [his]
1540 business, or in any manner in which civil process may be served. If the
1541 surety denies liability on the claim, or any portion thereof, the claimant
1542 may bring action upon the payment bond in the Superior Court for
1543 such sums and prosecute the action to final execution and judgment.
1544 An action to recover on a payment bond under this section shall be

1545 privileged with respect to assignment for trial. The court shall not
1546 consolidate for trial any action brought under this section with any
1547 other action brought on the same bond unless the court finds that a
1548 substantial portion of the evidence to be adduced, other than the fact
1549 that the claims sought to be consolidated arise under the same general
1550 contract, is common to such actions and that consolidation will not
1551 result in excessive delays to any claimant whose action was instituted
1552 at a time significantly prior to the motion to consolidate. In any such
1553 proceeding, the court judgment shall award the prevailing party the
1554 costs for bringing such proceeding and allow interest at the rate of
1555 interest specified in the labor or materials contract under which the
1556 claim arises or, if no such interest rate is specified, at the rate of interest
1557 as provided in section 37-3a upon the amount recovered, computed
1558 from the date of service of the notice of claim, provided, for any
1559 portion of the claim which the court finds was due and payable after
1560 the date of service of the notice of claim, such interest shall be
1561 computed from the date such portion became due and payable. The
1562 court judgment may award reasonable attorneys fees to either party if
1563 upon reviewing the entire record, it appears that either the original
1564 claim, the surety's denial of liability, or the defense interposed to the
1565 claim is without substantial basis in fact or law. Any person having
1566 direct contractual relationship with a subcontractor but no contractual
1567 relationship express or implied with the contractor furnishing the
1568 payment bond shall have a right of action upon the payment bond
1569 upon giving written notice of claim as provided in this section.

1570 (b) Every suit instituted under this section shall be brought in the
1571 name of the person suing, in the superior court for the judicial district
1572 where the contract was to be performed, irrespective of the amount in
1573 controversy in the suit, but no such suit may be commenced after the
1574 expiration of one year after the applicable payment date provided for
1575 in subsection (a) of section 49-41a, or, in the case of a person supplying
1576 materials or performing subcontracting work not included on a
1577 requisition or estimate, no such suit may be commenced after the

1578 expiration of one year after the date such materials were supplied or
1579 such work was performed.

1580 (c) The word "material" as used in sections 49-33 to 49-43, inclusive,
1581 shall include construction equipment and machinery that is rented or
1582 leased for use (1) in the prosecution of work provided for in the
1583 contract within the meaning of sections 49-33 to 49-43, inclusive, or (2)
1584 in the construction, raising [.] or removal of any building or
1585 improvement of any lot or in the site development or subdivision of
1586 any plot of land within the meaning of sections 49-33 to 49-39,
1587 inclusive.

1588 Sec. 49. Section 49-55d of the general statutes is repealed and the
1589 following is substituted in lieu thereof:

1590 (a) If the lienor does not have possession of the vessel, [he] the
1591 lienor may bring a complaint, setting forth the reasons for the lien and
1592 demanding the sale of the vessel, returnable in the [Superior Court]
1593 superior court, within whose jurisdiction the vessel is located or where
1594 the services for which the lien is claimed were performed. The lienor
1595 may cause to be issued a writ of attachment against the vessel directed
1596 to a state marshal or other proper officer who shall take possession of
1597 the vessel and continue in possession of the same where located, or
1598 elsewhere as deemed expedient by the officer.

1599 (b) A copy of the complaint shall be personally served by a state
1600 marshal or other proper officer upon the owner of the vessel or left at
1601 [his] the owner's usual place of abode if the owner is a resident of this
1602 state. If the owner is not a resident of this state, then a copy of the
1603 complaint shall be served upon such person as may be in charge of the
1604 vessel and the state marshal shall send a notice of the complaint and
1605 the attachment of the vessel to the owner by certified mail at [his] such
1606 owner's last-known residence.

1607 (c) The owner or [his] the owner's representative shall have thirty

1608 days next succeeding the date the complaint is returnable to the proper
1609 court to file an affidavit with the court controverting any material
1610 allegations contained in the complaint and an affidavit that [he] the
1611 owner has a valid defense. The issues so raised shall be tried as all
1612 other issues in the court. If the owner or [his] the owner's legal
1613 representative does not file the necessary affidavits, the lienor may
1614 make a motion for judgment and order of sale which shall be heard on
1615 short calendar by the court having jurisdiction, which motion the court
1616 shall have the power to grant and the court shall order the sale of the
1617 vessel by the state marshal or other proper officer at public auction,
1618 subject to all prior encumbrances on file with the Secretary of the State,
1619 provided at least seven days prior to the sale, a notice of the time, place
1620 [.] and purpose of the sale be published in a newspaper having general
1621 circulation where the vessel was located at the time of the attachment,
1622 and notice of same shall be sent by certified mail to the owner of the
1623 vessel at [his] such owner's last-known place of residence and to all
1624 other holders of valid security interests on file with the office of said
1625 secretary. The proceeds of the sale, after payment of all expenses
1626 connected with the sale and payment of any balance due on any valid
1627 security interest perfected before the vessel lien was filed, and
1628 satisfaction of the vessel lien and satisfaction of any valid security
1629 interest subsequent to the vessel lien presented for payment, shall be
1630 paid to the owner. If the amount due the owner is not claimed within
1631 one year from the date of such sale, it shall escheat to the state.

1632 Sec. 50. Subsection (d) of section 51-15 of the general statutes is
1633 repealed and the following is substituted in lieu thereof:

1634 (d) The procedure for the hearing and determination of small claims
1635 as the same may be prescribed, from time to time, by the judges of the
1636 Superior Court shall be used in all small claims sessions of the court.
1637 The small claims procedure shall be applicable to all actions, except
1638 actions of libel and slander, claiming money damages not in excess of
1639 three thousand five hundred dollars, and to no other actions. If an

1640 action is brought in the small claims session by a tenant pursuant to
1641 subsection (g) of section 47a-21 to reclaim any part of a security deposit
1642 which may be due, the judicial authority hearing the action may award
1643 to the tenant the damages authorized by subsection (d) of said section
1644 and, if authorized by the rental agreement or any provision of the
1645 general statutes, costs, notwithstanding that the amount of such
1646 damages and costs, in the aggregate, exceeds the jurisdictional
1647 monetary limit established by this subsection. If a motion is filed to
1648 transfer a small claims matter to the regular docket in the court, the
1649 moving party shall pay the fee prescribed by section 52-259. The
1650 Attorney General or an assistant attorney general, or the head of any
1651 state agency or his or her authorized representative, while acting in his
1652 or her official capacity shall not be required to pay any small claims
1653 court fee. There shall be no charge for copies of service on defendants
1654 in small claims matters.

1655 Sec. 51. Subsection (a) of section 51-30 of the general statutes is
1656 repealed and the following is substituted in lieu thereof:

1657 (a) The Superior Court or family support magistrate, when
1658 transacting business, shall be attended by such judicial marshals or by
1659 such constables, and by such messengers as the Chief Court
1660 Administrator or [his] said administrator's designee may authorize.

1661 Sec. 52. Subsection (h) of section 51-44a of the general statutes is
1662 repealed and the following is substituted in lieu thereof:

1663 (h) (1) Judges of all courts, except those courts to which judges are
1664 elected, shall be nominated by the Governor exclusively from the list of
1665 candidates or incumbent judges submitted by the Judicial Selection
1666 Commission. Any candidate or incumbent judge who is nominated
1667 from such list by the Governor to be Chief Justice of the Supreme
1668 Court, and who is appointed Chief Justice by the General Assembly,
1669 shall serve a term of eight years from the date of appointment. The
1670 Governor shall nominate a candidate for a vacancy in a judicial

1671 position within forty-five days of the date [he] the Governor receives
1672 the recommendations of the commission. When considering the
1673 nomination of an incumbent judge for reappointment to the same
1674 court, the Governor may nominate the incumbent judge if the
1675 commission did not deny recommendation for reappointment.
1676 Whenever an incumbent judge is denied recommendation for
1677 reappointment to the same court by the commission or is
1678 recommended by the commission but not nominated by the Governor
1679 for reappointment to the same court, or whenever a vacancy in a
1680 judicial position occurs or is anticipated, the Governor shall choose a
1681 nominee from the list of candidates compiled pursuant to subsection
1682 (f) of this section. (2) Notwithstanding the provisions of subdivision (1)
1683 of this subsection and subsection (f) of this section, the Governor may
1684 nominate an associate judge of the Supreme Court to be Chief Justice
1685 of the Supreme Court without such judge being investigated and
1686 interviewed by the commission and being on the list of qualified
1687 candidates compiled and submitted to the Governor by the
1688 commission. An associate judge of the Supreme Court who has been
1689 nominated by the Governor to be Chief Justice of the Supreme Court in
1690 accordance with this subdivision, and who is appointed Chief Justice
1691 by the General Assembly, shall serve an initial term as Chief Justice
1692 equal to the remainder of such judge's term as an associate judge of the
1693 Supreme Court.

1694 Sec. 53. Subsection (b) of section 51-198 of the general statutes is
1695 repealed and the following is substituted in lieu thereof:

1696 (b) In addition thereto, each Chief Justice or associate judge of the
1697 Supreme Court who elects to retain [his] office but to retire from full-
1698 time active service shall continue to be a member of the Supreme Court
1699 during the remainder of his or her term of office and during the term
1700 of any reappointment under section 51-50i, until he or she attains the
1701 age of seventy years. He or she shall be entitled to participate in the
1702 meetings of the judges of the Supreme Court and to vote as a member

1703 thereof.

1704 Sec. 54. Section 51-206 of the general statutes is repealed and the
1705 following is substituted in lieu thereof:

1706 An adjournment of any term or session of the Supreme Court may
1707 be made, at any time when no judge of the court is present, by judicial
1708 marshals, upon a written order from the Chief Justice of said court or,
1709 in [his] the Chief Justice's absence or inability to act, from the senior
1710 associate judge of said court, directing such adjournment and the time
1711 to which it shall be made; but, when any judge or judges of said court
1712 are present, such judge or judges may make such adjournment;
1713 provided any adjournment made upon such written order or by any
1714 judge or judges less than a quorum shall not be made to a time beyond
1715 one month from the day of adjournment.

1716 Sec. 55. Subsection (c) of section 51-217 of the general statutes is
1717 repealed and the following is substituted in lieu thereof:

1718 (c) The Jury Administrator shall have the authority to establish and
1719 maintain a list of persons to be excluded from the summoning process,
1720 which shall consist of (1) persons who are disqualified from serving on
1721 jury duty on a permanent basis due to a disability for which a licensed
1722 physician has submitted a letter stating the physician's opinion that
1723 such disability permanently prevents the person from rendering
1724 satisfactory jury service, (2) persons seventy years of age or older who
1725 have requested not to be summoned, and (3) elected officials
1726 enumerated in subdivision (4) of subsection (a) of this section and
1727 judges enumerated in subdivision (5) of subsection (a) of this section
1728 during their term of office. Persons requesting to be excluded pursuant
1729 to subdivisions (1) and (2) of this subsection must provide the Jury
1730 Administrator with their [name, address, date] names, addresses, dates
1731 of birth and federal Social Security [number] numbers for use in
1732 matching. The request to be excluded may be rescinded at any time
1733 with written notice to the Jury Administrator.

1734 Sec. 56. Section 51-222a of the general statutes is repealed and the
1735 following is substituted in lieu thereof:

1736 (a) Annually, upon the request of the Jury Administrator, the
1737 Commissioner of Motor Vehicles shall supply the Jury Administrator
1738 with the latest updated file of licensed motor vehicle operators for the
1739 state. Upon the request of the Jury Administrator, the Commissioner of
1740 Revenue Services shall supply the Jury Administrator with the most
1741 recent updated list of residents of this state who have a permanent
1742 place of abode in this state and who filed a return on personal income
1743 under chapter 229 in the last tax year, and the Labor Commissioner
1744 shall supply the Jury Administrator with the most recent updated list
1745 of residents of this state who are recipients of unemployment
1746 compensation under chapter 567. In addition, upon the request of the
1747 Jury Administrator, the registrars of voters of each town shall supply a
1748 list of all electors from their town, except that in lieu of such list from
1749 the registrars of voters, the Jury Administrator may obtain the list of all
1750 electors from a central repository, or if such list is not available, may
1751 contract for the creation and purchase of such list. The registrars of
1752 voters shall provide lists of electors to the contractor at the request of
1753 the Jury Administrator. Annually, upon the request of the Jury
1754 Administrator, the Commissioner of Public Health shall supply the
1755 Jury Administrator with the most recent updated list of deceased
1756 persons. The lists supplied to the Jury Administrator under this
1757 subsection shall be in the format prescribed by the Jury Administrator
1758 and shall include, at a minimum, the name, address and, if available,
1759 date of birth of each person on such list or the reason for the
1760 unavailability. The lists supplied by the Commissioner of Motor
1761 Vehicles, the Commissioner of Revenue Services, the Commissioner of
1762 Public Health and the Labor Commissioner to the Jury Administrator
1763 under this subsection shall also include the federal Social Security
1764 number of each person on such list or the reason for the unavailability.
1765 The lists of electors supplied to the Jury Administrator by registrars of
1766 voters or the Secretary of the State under this subsection shall not

1767 include federal Social Security numbers of persons on such lists.

1768 (b) The Jury Administrator shall compile a list of names of electors,
1769 residents of this state appearing on the most recent updated list of
1770 operators of motor vehicles licensed pursuant to chapter 246, residents
1771 who filed a return on personal income under chapter 229 in the last tax
1772 year and recipients of unemployment compensation under chapter
1773 567.

1774 (c) Annually the Jury Administrator shall combine the names from
1775 the lists compiled under subsection (b) of this section. The Jury
1776 Administrator shall delete, where possible, duplicate names in order to
1777 insure that names occurring on any list are given only a single chance
1778 to be selected and shall delete, where possible, the names of persons
1779 who may be excluded from the list compiled pursuant to subsection (c)
1780 of section 51-217 and the names appearing on the list of deceased
1781 persons supplied by the Commissioner of Public Health.

1782 (d) The Jury Administrator shall select, [by] at random from the list
1783 compiled as provided in subsection (c) of this section, the number of
1784 names required by section 51-220. These names for each town in the
1785 state and the names of persons whose jury service was continued from
1786 the previous jury year shall constitute such town's final list of
1787 prospective jurors for service starting the next succeeding September.
1788 The final list for each town shall contain the name and street address of
1789 each prospective juror. In the event that a new master file is
1790 unavailable or defective, the Chief Court Administrator may authorize
1791 the Jury Administrator to continue to summon jurors from the list
1792 compiled pursuant to subsection (c) of this section during the previous
1793 year.

1794 (e) If the Jury Administrator determines at any time that there is a
1795 need to supplement the number of names on the final list of jurors for
1796 each town within a judicial district, the Jury Administrator, so far as he
1797 or she is able, shall select in proportion to the population of each town,

1798 [by] at random, from the names not selected pursuant to subsection (d)
1799 of this section such number of prospective jurors as the Jury
1800 Administrator determines is necessary.

1801 Sec. 57. Subsection (e) of section 52-50 of the general statutes is
1802 repealed and the following is substituted in lieu thereof:

1803 (e) Borough bailiffs may, within their respective boroughs, execute
1804 all legal process which [sheriffs] state marshals or constables may
1805 execute.

1806 Sec. 58. Section 52-53 of the general statutes is repealed and the
1807 following is substituted in lieu thereof:

1808 A state marshal may, on any special occasion, depute, in writing on
1809 the back of the process, any proper person to serve it. After serving the
1810 process, such person shall make oath before a justice of the peace that
1811 he or she faithfully served the process according to [his] such person's
1812 endorsement thereon and did not fill out the process or direct any
1813 person to fill it out; and, if such justice of the peace certifies on the
1814 process that [he] such justice of the peace administered such oath, the
1815 service shall be valid.

1816 Sec. 59. Section 52-127 of the general statutes is repealed and the
1817 following is substituted in lieu thereof:

1818 Any process or complaint drawn or filled out by a state marshal or
1819 constable, except in [his] such marshal's or constable's own cause, shall
1820 abate; but process shall not abate on account of any alteration between
1821 the time of signing and of serving it.

1822 Sec. 60. Section 52-293 of the general statutes is repealed and the
1823 following is substituted in lieu thereof:

1824 When any livestock, or other personal property in its nature
1825 perishable or liable to depreciation, or the custody and proper

1826 preservation of which would be difficult or expensive, is attached,
1827 either party to the suit may apply to any judge of the court to which
1828 such process is returnable for an order to sell the same, and thereupon,
1829 after such reasonable notice to the adverse party as such judge directs,
1830 and upon satisfactory proof that such sale is necessary and proper, and
1831 payment of [his] the judge's fees by the party making such application,
1832 [he] such judge may order such property to be sold by the officer who
1833 attached the same, or, in case of [his] such officer's inability, by a state
1834 marshal, or any indifferent person requested in writing to do so by
1835 such attaching officer, at public auction, at such time and place, and
1836 upon such notice, as such judge deems reasonable; and [he] such judge
1837 may, at [his] such judge's discretion, order the officer making such sale
1838 to deposit the avails with the clerk of such court.

1839 Sec. 61. Subsection (b) of section 52-321a of the general statutes is
1840 repealed and the following is substituted in lieu thereof:

1841 (b) Nothing in this section shall impair the rights of an alternate
1842 payee under a qualified domestic relations order, as defined in Section
1843 414(p) of the Internal Revenue Code of 1986, or any subsequent
1844 corresponding internal revenue code of the United States, as from time
1845 to time amended. Nothing in this section [nor] or in subsection (m) of
1846 section 52-352b shall impair the rights of the state to proceed under
1847 section 52-361a to recover the costs of incarceration from any federal,
1848 state or municipal pension, annuity or insurance contract or similar
1849 arrangement described in subdivision (5) of subsection (a) of this
1850 section, provided the rights of an alternate payee under a qualified
1851 domestic relations order, as defined in Section 414(p) of the Internal
1852 Revenue Code of 1986, or any subsequent corresponding internal
1853 revenue code of the United States, as from time to time amended, shall
1854 take precedence over any such recovery. Nothing in this section nor in
1855 subsection (m) of section 52-352b shall impair the rights of a victim of
1856 crime to proceed under section 52-361a to recover damages awarded
1857 by a court of competent jurisdiction from any federal, state or

1858 municipal pension, annuity or insurance contract or similar
1859 arrangement described in subdivision (5) of subsection (a) of this
1860 section when such damages are the result of a crime committed by a
1861 participant or beneficiary of such pension, annuity or insurance
1862 contract or similar arrangement; provided the rights of an alternate
1863 payee under a qualified domestic relations order, as defined in Section
1864 414(p) of the Internal Revenue Code of 1986, or any subsequent
1865 corresponding internal revenue code of the United States, as from time
1866 to time amended, shall take precedence over any such recovery.

1867 Sec. 62. Subdivision (12) of section 52-350a of the general statutes is
1868 repealed and the following is substituted in lieu thereof:

1869 (12) "Levying officer" means a state marshal or constable acting
1870 within [his] such marshal's or constable's geographical jurisdiction or
1871 in IV-D cases, any investigator employed by the Commissioner of
1872 Social Services.

1873 Sec. 63. Subdivision (4) of subsection (a) of section 52-434 of the
1874 general statutes is repealed and the following is substituted in lieu
1875 thereof:

1876 (4) In addition to the judge trial referees who are appointed
1877 pursuant to subdivision (1), (2) or (3) of this subsection, the Chief
1878 Justice may appoint, from qualified members of the bar of the state,
1879 who are electors and residents of this state, as many state referees as
1880 [he] the Chief Justice may from time to time deem advisable or
1881 necessary. No appointment of a member of the bar may be for a term
1882 of more than three years. Notwithstanding the provisions of subsection
1883 (f) of this section, state referees appointed by the Chief Justice from
1884 members of the bar shall receive such reasonable compensation and
1885 expenses as may be determined by the Chief Justice. The Superior
1886 Court may appoint a state referee pursuant to this subdivision to take
1887 such evidence as it directs in any civil, nonjury case including, but not
1888 limited to, appeals under section 8-8. Any such state referee shall

1889 report on such evidence to the court with any findings of fact. The
1890 report shall constitute a part of the proceeding upon which the
1891 determination of the court shall be made.

1892 Sec. 64. Subsection (d) of section 52-434 of the general statutes is
1893 repealed and the following is substituted in lieu thereof:

1894 (d) Each judge trial referee may have the attendance of a judicial
1895 marshal at any hearing before [him] such referee. The judicial marshal
1896 shall receive the same compensation provided for attendance at
1897 regular sessions of the court from which the case was referred and
1898 such compensation shall be taxed by the state referee in the same
1899 manner as similar costs are taxed by the judges of the court.

1900 Sec. 65. Subsection (a) of section 52-549d of the general statutes is
1901 repealed and the following is substituted in lieu thereof:

1902 (a) Any commissioner of the Superior Court, admitted to practice in
1903 this state for at least two years, who is able and willing to hear small
1904 claims, may submit his or her name to the clerk of the superior court
1905 for any small claims area in which the commissioner may have a law
1906 office or in which [he] such commissioner is convenient and available
1907 to the litigants and counsel of the small claims area. The name shall be
1908 submitted to the Chief Court Administrator for approval to be placed
1909 on a list of available commissioners in any small claims area for
1910 hearing of small claims. The approved name shall thereupon be
1911 returned to the clerk who shall maintain a list of all approved names.

1912 Sec. 66. Section 52-593a of the general statutes is repealed and the
1913 following is substituted in lieu thereof:

1914 (a) Except in the case of an appeal from an administrative agency
1915 governed by section 4-183, a cause or right of action shall not be lost
1916 because of the passage of the time limited by law within which the
1917 action may be brought, if the process to be served is personally

1918 delivered to a state marshal authorized to serve the process and the
1919 process is served, as provided by law, within fifteen days of the
1920 delivery.

1921 (b) In any such case the [officer] state marshal making service shall
1922 endorse under oath on such [officer's] state marshal's return the date of
1923 delivery of the process to such [officer] state marshal for service in
1924 accordance with this section.

1925 Sec. 67. Subsection (c) of section 52-605 of the general statutes is
1926 repealed and the following is substituted in lieu thereof:

1927 (c) Within thirty days after the filing of the judgment and the
1928 certificate, the judgment creditor shall mail notice of filing of the
1929 foreign judgment by registered or certified mail, return receipt
1930 requested, to the judgment debtor at [his] such judgment debtor's last-
1931 known address. The proceeds of an execution shall not be distributed
1932 to the judgment creditor earlier than thirty days after filing of proof of
1933 service with the clerk of the court in which enforcement of such
1934 judgment is sought.

1935 Sec. 68. Section 53-164 of the general statutes is repealed and the
1936 following is substituted in lieu thereof:

1937 Any person who aids or abets any inmate in escaping from Long
1938 Lane School, the Connecticut School for Boys* or The Southbury
1939 Training School or who knowingly harbors any such inmate, or aids in
1940 abducting any such inmate who has been paroled from the person or
1941 persons to whose care and service such inmate has been legally
1942 committed, shall be fined not more than five hundred dollars or
1943 imprisoned not more than three months or both. Any constable or
1944 officer of state or local police, and any officer or employee of any of
1945 said institutions, is authorized and directed to arrest any person who
1946 has escaped therefrom and return [him] such person thereto.

1947 Sec. 69. Subsection (f) of section 53-202 of the general statutes is
1948 repealed and the following is substituted in lieu thereof:

1949 (f) Each manufacturer shall keep a register of all machine guns
1950 manufactured or handled by [him] the manufacturer. Such register
1951 shall show the model and serial number, and the date of manufacture,
1952 sale, loan, gift, delivery or receipt, of each machine gun, the name,
1953 address and occupation of the person to whom the machine gun was
1954 sold, loaned, given or delivered, or from whom it was received and the
1955 purpose for which it was acquired by the person to whom the machine
1956 gun was sold, loaned, given or delivered. Upon demand, any
1957 manufacturer shall permit any marshal [,] or police officer to inspect
1958 [his] such manufacturer's entire stock of machine guns, and parts and
1959 supplies therefor, and shall produce the register, herein required, for
1960 inspection. Any person who violates any provision of this subsection
1961 shall be fined not more than two thousand dollars.

1962 Sec. 70. Subsection (a) of section 54-1f of the general statutes is
1963 repealed and the following is substituted in lieu thereof:

1964 (a) For purposes of this section, the respective precinct or
1965 jurisdiction of a state marshal or judicial marshal shall be wherever
1966 [he] such marshal is required to perform [his] duties. Peace officers, as
1967 defined in subdivision (9) of section 53a-3, in their respective precincts,
1968 shall arrest, without previous complaint and warrant, any person for
1969 any offense in their jurisdiction, when the person is taken or
1970 apprehended in the act or on the speedy information of others,
1971 provided that no constable elected pursuant to the provisions of
1972 section 9-200 shall be considered a peace officer for the purposes of this
1973 subsection, unless the town in which such constable holds office
1974 provides, by ordinance, that constables shall be considered peace
1975 officers for the purposes of this subsection.

1976 Sec. 71. Section 54-98 of the general statutes is repealed and the
1977 following is substituted in lieu thereof:

1978 The Chief Court Administrator or the administrator's designee shall
1979 execute each mittimus for the commitment of convicts to the
1980 Connecticut Correctional Institution, Somers, by delivering such
1981 convicts to the warden of said institution or [his] such warden's agent
1982 at said institution.

1983 Sec. 72. Section 54-101 of the general statutes is repealed and the
1984 following is substituted in lieu thereof:

1985 When any person detained at the Connecticut Correctional
1986 Institution, Somers, awaiting execution of a sentence of death appears
1987 to the warden thereof to be insane, the warden may make application
1988 to the superior court for the judicial district of Tolland having either
1989 civil or criminal jurisdiction or, if said court is not in session, to any
1990 judge of the Superior Court, and, after hearing upon such application,
1991 notice thereof having been given to the state's attorney for the judicial
1992 district wherein such person was convicted, said court or such judge
1993 may, if it appears advisable, appoint three reputable physicians to
1994 examine as to the mental condition of the person so committed. Upon
1995 return to said court or such judge of a certificate by such physicians, or
1996 a majority of them, stating that such person is insane, said court or
1997 such judge shall order the sentence of execution to be stayed and such
1998 person to be transferred to any state hospital for mental illness for
1999 confinement, support and treatment until [he] such person recovers
2000 [his] sanity, and shall cause a mittimus to be issued to the Department
2001 of Correction for such commitment. If, at any time thereafter, the
2002 superintendent of the state hospital to which such person has been
2003 committed is of the opinion that [he] such person has recovered [his]
2004 sanity, [he] the superintendent shall so report to the state's attorney for
2005 the judicial district wherein the conviction was had and such attorney
2006 shall thereupon make application to the superior court for such judicial
2007 district having criminal jurisdiction, for the issuance of a warrant of
2008 execution for such sentence, and, if said court finds that such person
2009 has recovered [his] sanity, it shall cause a mittimus to be issued for

2010 [his] such person's return to the Connecticut Correctional Institution,
2011 Somers, there to be received and kept until a day designated in the
2012 mittimus for the infliction of the death penalty, and thereupon said
2013 penalty shall be inflicted, in accordance with the provisions of the
2014 statutes.

2015 Sec. 73. Subsection (b) of section 2-71c of the general statutes is
2016 repealed and the following is substituted in lieu thereof:

2017 (b) The legislative Office of Legislative Research shall assist the
2018 General Assembly and the Legislative Department, legislative
2019 commissions and legislative committees in a research and advisory
2020 capacity as follows: (1) [Assist] Assisting the development of
2021 legislative programs; (2) analyzing the long-range implications of the
2022 several alternative programs; (3) preparing abstracts, summaries,
2023 explanations of state executive agency and federal government reports;
2024 (4) informing the legislative leaders of action taken by the federal
2025 government with regard to problems of their particular concern and
2026 federal law; (5) assisting in the research and writing of interim reports;
2027 (6) preparing bill analyses and summaries; (7) assisting in hearings by
2028 preparing agendas, contacting potential witnesses, scheduling their
2029 appearances and analyzing testimonies; and (8) performing such other
2030 research and analysis services as may be determined by the Joint
2031 Committee on Legislative Management.

2032 Sec. 74. Section 4-169 of the general statutes is repealed and the
2033 following is substituted in lieu thereof:

2034 No adoption, amendment or repeal of any regulation, except a
2035 regulation issued pursuant to subsection (f) of section 4-168, shall be
2036 effective until the original of the proposed regulation has been
2037 submitted by the agency proposing such regulation, to the Attorney
2038 General and approved by [him] the Attorney General, or by some
2039 other person designated by [him] the Attorney General for such
2040 purpose. The review of such regulations by the Attorney General shall

2041 be limited to a determination of the legal sufficiency of the proposed
2042 regulation. If the Attorney General or [his] the Attorney General's
2043 designated representative fails to give notice to the agency of any legal
2044 insufficiency within thirty days of the receipt of the proposed
2045 regulation, [he] the Attorney General shall be deemed to have
2046 approved the proposed regulation for purposes of this section. The
2047 approval of the Attorney General shall be indicated on the original of
2048 the proposed regulation which shall be submitted to the joint standing
2049 legislative regulation review committee. As used in this section "legal
2050 sufficiency" means (1) the absence of conflict with any general statute
2051 or regulation, federal law or regulation or the Constitution of this state
2052 or of the United States and (2) compliance with the notice and hearing
2053 requirements of section 4-168.

2054 Sec. 75. Subsection (f) of section 4-170 of the general statutes is
2055 repealed and the following is substituted in lieu thereof:

2056 (f) If an agency fails to file any regulation approved in whole or in
2057 part by the standing legislative regulation review committee in the
2058 office of the Secretary of the State as provided in section 4-172, within
2059 fourteen days after the date of approval, the agency shall notify the
2060 committee, within five days after such fourteen-day period, of its
2061 reasons for not so filing. If any agency fails to comply with the time
2062 limits established under subsection (b) of section 4-168 or under
2063 subsection (e) of this section, the administrative head of such agency
2064 shall submit to the committee a written explanation of the reasons for
2065 such noncompliance. The committee, upon the affirmative vote of two-
2066 thirds of its members, may grant an extension of the time limits
2067 established under subsection (b) of section 4-168 and under subsection
2068 (e) of this section. If no such extension is granted, the administrative
2069 head of the agency shall personally appear before the standing
2070 legislative regulation review committee, at a time prescribed by the
2071 committee, to explain such failure to comply. After any such
2072 appearance, the committee may, upon the affirmative vote of two-

2073 thirds of its members, report such noncompliance to the Governor.
2074 Within fourteen days thereafter the Governor shall report to the
2075 committee concerning the action [he] the Governor has taken to ensure
2076 compliance with the provisions of section 4-168 and with the
2077 provisions of this section.

2078 Sec. 76. Subdivision (2) of subsection (a) of section 10a-77a of the
2079 general statutes is repealed and the following is substituted in lieu
2080 thereof:

2081 (2) For each of the fiscal years ending June 30, 2000, to June 30, 2009,
2082 inclusive, as part of the state contract with donors of endowment fund
2083 eligible gifts, the Department of Higher Education, in accordance with
2084 section 10a-8b, shall deposit in the endowment fund for the
2085 Community-Technical College System a grant in an amount equal to
2086 half of the total amount of endowment fund eligible gifts received by
2087 or for the benefit of the community-technical college system as a whole
2088 and each regional community-technical college for the calendar year
2089 ending the December thirty-first preceding the commencement of such
2090 fiscal year, as certified by the chairperson of the board of trustees by
2091 February fifteenth to (A) the Secretary of the Office of Policy and
2092 Management, (B) the joint standing committee of the General
2093 Assembly having cognizance of matters relating to appropriations and
2094 the budgets of state agencies, and (C) the Commissioner of Higher
2095 Education, provided such sums do not exceed the endowment fund
2096 state grant maximum commitment for the fiscal year in which the
2097 grant is made. In any such fiscal year in which the total of the eligible
2098 gifts received by the community-technical colleges exceeds the
2099 endowment fund state grant maximum commitment for such fiscal
2100 year the amount in excess of such endowment fund state grant
2101 maximum commitment shall be carried forward and be eligible for a
2102 matching state grant in any succeeding fiscal year from the fiscal year
2103 ending June 30, 2000, to the fiscal year ending June 30, 2009, inclusive,
2104 subject to the endowment fund state grant maximum commitment.

2105 Any endowment fund eligible gifts that are not included in the total
2106 amount of endowment fund eligible gifts certified by the chairperson
2107 of the board of trustees pursuant to this subdivision may be carried
2108 forward and be eligible for a matching state grant in any succeeding
2109 fiscal year from the fiscal year ending June 30, 2000, to the fiscal year
2110 ending June [20] 30, 2009, inclusive, subject to the endowment fund
2111 state matching grant commitment for such fiscal year.

2112 Sec. 77. Section 10-200 of the general statutes is repealed and the
2113 following is substituted in lieu thereof:

2114 Each city and town may adopt ordinances concerning habitual
2115 truants from school and children between the ages of five and sixteen*
2116 years wandering about its streets or public places, having no lawful
2117 occupation and not attending school, [;] and may make such
2118 ordinances respecting such children as shall conduce to their welfare
2119 and to public order, imposing penalties, not exceeding twenty dollars,
2120 for any one breach thereof. The police in any town, city or borough,
2121 bailiffs and constables in their respective precincts shall arrest all such
2122 children found anywhere beyond the proper control of their parents or
2123 guardians, during the usual school hours of the school terms, and may
2124 stop any child under sixteen* years of age during such hours and
2125 ascertain whether such child is a truant from school, and, if such child
2126 is, shall send such child to school. For purposes of this section,
2127 "habitual truant" means a child age five to sixteen*, inclusive, who is
2128 enrolled in a public or private school [who] and has twenty unexcused
2129 absences within a school year.

2130 Sec. 78. Section 17b-114o of the general statutes is repealed and the
2131 following is substituted in lieu thereof:

2132 The expenditure report relative to the temporary assistance for
2133 needy families block grant required to be submitted by the
2134 Commissioner of Social Services to the federal Department of Health
2135 and Human Services shall be transmitted to the joint standing

2136 committees of the General Assembly having cognizance of matters
2137 relating to human services and appropriations and the budgets of state
2138 agencies within forty-five days of the date of such submission. Such
2139 report for the last quarter of the fiscal year shall include the
2140 identification of unliquidated obligations either identified in previous
2141 quarterly reports for the same fiscal year and claimed before the prior
2142 quarterly report or those not yet claimed by the commissioner for the
2143 purposes of receiving federal reimbursement. In the event that such
2144 report identifies any unliquidated obligations, the commissioner shall
2145 notify said committees of the commissioner's intention concerning the
2146 disposition of such unliquidated obligations, which may include []
2147 establishing or contributing to a reserve account to meet future needs
2148 in the temporary family assistance program.

2149 Sec. 79. Subsection (a) of section 17a-219a of the general statutes is
2150 repealed and the following is substituted in lieu thereof:

2151 (a) "Children with disabilities" means any child with a physical,
2152 emotional or mental impairment under the age of eighteen years who
2153 (1) if under the age of five, has a severe disability and substantial
2154 developmental delay, or a specific diagnosed condition with a high
2155 probability of resulting in a developmental delay, or (2) has a
2156 moderate, severe or profound educational disability, or (3) otherwise
2157 meets the definition of developmental disabilities in the federal
2158 Developmental Disabilities Act, Section 102(5) as codified in [24] 42
2159 USC Section [6001(5)] 6001(8).

2160 Sec. 80. Subsection (e) of section 20-281g of the general statutes is
2161 repealed and the following is substituted in lieu thereof:

2162 (e) No firm shall assume or use the title or designation "certified
2163 public accountant", or the abbreviation "CPA", or any other title,
2164 designation, words, letters, abbreviation, sign, card or device tending
2165 to indicate that such firm is composed of certified public accountants,
2166 unless (1) the firm holds a valid permit issued under section 20-281e,

2167 [and] (2) all proprietors, partners and shareholders practicing public
2168 accountancy in this state hold valid certificates and licenses issued
2169 under section 20-281d, and (3) all proprietors, officers and
2170 shareholders of the firm hold licenses.

2171 Sec. 81. Subsection (c) of section 20-281l of the general statutes is
2172 repealed and the following is substituted in lieu thereof:

2173 (c) A licensee shall not perform services for a client for a
2174 commission and shall not accept a commission from a client during the
2175 period that the licensee is performing for such client any of the
2176 following services or during the period that is covered by any
2177 historical financial statements that are involved in any of the following
2178 services: (1) An audit or review of a financial statement; (2) a
2179 compilation of a financial statement if the licensee expects or has
2180 reasonable cause to expect that a third party will use the financial
2181 statement [.] and the compilation report does not disclose a lack of
2182 independence; or (3) an examination of prospective financial
2183 information.

2184 Sec. 82. Subsection (b) of section 20-368 of the general statutes is
2185 repealed and the following is substituted in lieu thereof:

2186 (b) The Commissioner of Consumer Protection shall adopt
2187 regulations, in accordance with the provisions of chapter 54,
2188 concerning eligibility for landscape architectural licensing
2189 examinations, appeals of examination grades, reciprocal licensing and
2190 such other matters as [it] the commissioner deems necessary to effect
2191 the purposes of this chapter.

2192 Sec. 83. Subdivision (6) of section 20-417a of the general statutes is
2193 repealed and the following is substituted in lieu thereof:

2194 (6) "New home" means any newly constructed (A) single family
2195 dwelling unit, (B) dwelling consisting of not more than two units, or

2196 (C) [a] unit, common element or limited common element in a
2197 condominium, as defined in section 47-68a, or in a common interest
2198 community, as defined in section 47-202.

2199 Sec. 84. Section 20-417b of the general statutes is repealed and the
2200 following is substituted in lieu thereof:

2201 (a) No person shall engage in the business of new home
2202 construction or hold [oneself] himself or herself out as a new home
2203 construction contractor unless such person has been issued a certificate
2204 of registration by the commissioner in accordance with the provisions
2205 of sections 20-417a to 20-417i, inclusive, and subsection (b) of section
2206 20-421. No new home construction contractor shall be relieved of
2207 responsibility for the conduct and acts of its agents, employees or
2208 officers by reason of such new home construction contractor's
2209 compliance with the provisions of sections 20-417a to 20-417i,
2210 inclusive, and subsection (b) of section 20-421.

2211 (b) Any person seeking a certificate of registration shall apply to the
2212 commissioner, in writing, on a form provided by the commissioner.
2213 The application shall include (1) the applicant's name, business street
2214 address, business telephone number, (2) the identity of the insurer that
2215 provides the applicant with insurance coverage for liability, (3) if such
2216 applicant is required by any provision of the general statutes to have
2217 workers' compensation coverage, the identity of the insurer that
2218 provides the applicant with such workers' compensation coverage, and
2219 (4) if such applicant is required by any provision of the general statutes
2220 to have an agent for service of process, the name and address of such
2221 agent. Each such application shall be accompanied by a fee of one
2222 hundred twenty dollars, except that no such application fee shall be
2223 required if such person has paid the registration fee required under
2224 section 20-421 during any year in which such person's registration as a
2225 new home construction contractor would be valid.

2226 (c) Certificates issued to new home construction contractors shall

2227 not be transferable or assignable.

2228 (d) All certificates issued under the provisions of sections 20-417a to
2229 20-417i, inclusive, and subsection (b) of section 20-421 shall expire
2230 biennially. The fee for renewal of a certificate shall be the same as the
2231 fee charged for an original application, except as provided in
2232 subsection (c) of section 20-417i, and except that no renewal fee is due
2233 if a person seeking renewal of a certificate has paid the registration fee
2234 under section 20-427 during any year in which such person's
2235 registration as a new home construction contractor would be valid.

2236 (e) A certificate shall not be restored unless it is renewed not later
2237 than one year after its expiration.

2238 (f) Failure to receive a notice of expiration or a renewal application
2239 shall not exempt a contractor from the obligation to renew.

2240 Sec. 85. Subsection (d) of section 21-417d of the general statutes is
2241 repealed and the following is substituted in lieu thereof:

2242 (d) No person shall: (1) Present, or attempt to present as such
2243 person's own, the certificate of another; (2) knowingly give false
2244 evidence of a material nature to the commissioner for the purpose of
2245 procuring a certificate; (3) represent such person falsely as, or
2246 impersonate, a registered new home construction contractor; (4) use or
2247 attempt to use a certificate which has expired or which has been
2248 suspended or revoked; (5) engage in the business of a new home
2249 construction contractor or hold [oneself] himself or herself out as a
2250 new home construction contractor without having a current certificate
2251 of registration under sections 20-417a to 20-417i, inclusive, and
2252 subsection (b) of section 20-421; (6) represent in any manner that such
2253 person's registration constitutes an endorsement of the quality of such
2254 person's work or of such person's competency by the commissioner; or
2255 (7) fail to refund a deposit paid to a new home construction contractor
2256 not later than ten days after a written request mailed or delivered to

2257 the new home construction contractor's last known address, if (A) the
2258 consumer has complied with the terms of the written contract up to the
2259 time of the request, (B) no substantial portion of the contracted work
2260 has been performed at the time of the request, (C) more than thirty
2261 days has elapsed since the starting date specified in the written
2262 contract or more than thirty days has elapsed since the date of the
2263 contract if such contract does not specify a starting date, and (D) the
2264 new home construction contractor has failed to provide a reasonable
2265 explanation to the consumer concerning such contractor's failure to
2266 perform a substantial portion of the contracted work. For purposes of
2267 this subdivision, "substantial portion of the contracted work" includes,
2268 but is not limited to, work performed by the new home construction
2269 contractor to (i) secure permits and approvals, (ii) redraft plans or
2270 obtain engineer, architect, surveyor or other approvals for changes
2271 requested by the consumer or made necessary by site conditions
2272 discovered after the contract is executed, (iii) [scheduling] schedule site
2273 work or [arranging] arrange for other contractors to perform services
2274 related to the construction of the consumer's new home, and (iv) do
2275 any other work referred to in the contract as a "substantial portion of
2276 the contracted work".

2277 Sec. 86. Subdivision (5) of subsection (f) of section 21-70 of the
2278 general statutes is repealed and the following is substituted in lieu
2279 thereof:

2280 (5) In any case in which a mobile manufactured home park with two
2281 hundred or more units in which a majority of residents have been
2282 given written notice, prior to June 10, 1999, of the intended
2283 discontinuance of the use of the land as a mobile manufactured home
2284 park, regardless [if] of whether one or more of such notices or the
2285 service of such notices is subsequently deemed invalid or ineffective,
2286 (A) any subsequent notice of such intended discontinuance that is
2287 given or required to be given after June 23, 1999, by the owner
2288 pursuant to this subsection, and (B) any notice given or action taken

2289 pursuant to this subsection after June 23, 1999, by any association
2290 representing twenty-five per cent or more of the units in the park shall
2291 be subject to the time limitations contained in this subsection that were
2292 in effect immediately prior to June 23, 1999.

2293 Sec. 87. Section 21-70a of the general statutes is repealed and the
2294 following is substituted in lieu thereof:

2295 (a) A mobile manufactured home park resident who owns a mobile
2296 manufactured home and is required to remove the home from the park
2297 because of a change in use of the land on which said mobile
2298 manufactured home is located shall be entitled to receive from the
2299 mobile manufactured home park owner (1) relocation expenses to a
2300 mobile manufactured home park satisfactory to the resident within
2301 one hundred miles of the existing park site up to a maximum of (A)
2302 seven thousand dollars if the notice given pursuant to subdivision (3)
2303 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
2304 of subsection (b) of section 21-80 expires before October 1, 2000,
2305 regardless [if] of whether such notice was given before or after June 23,
2306 1999, or (B) subject to the provisions of subsection (b) of this section,
2307 ten thousand dollars if the notice given pursuant to subdivision (3) of
2308 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2309 subsection (b) of section 21-80 expires on or after October 1, 2000,
2310 regardless [if] of whether such notice was given before or after June 23,
2311 1999, or (2) in the event a satisfactory site is not available onto which
2312 the mobile manufactured home may be relocated, the sum of (A) seven
2313 thousand dollars if the notice given pursuant to subdivision (3) of
2314 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2315 subsection (b) of section 21-80 expires before October 1, 2000,
2316 regardless [if] of whether such notice was given before or after June 23,
2317 1999, or (B) subject to the provisions of subsection (b) of this section,
2318 ten thousand dollars if the notice given pursuant to subdivision (3) of
2319 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
2320 subsection (b) of section 21-80 expires on or after October 1, 2000,

2321 regardless [if] of whether such notice was given before or after June 23,
2322 1999.

2323 (b) Notwithstanding the provisions of subsection (a) of this section,
2324 in any case in which a mobile manufactured home park containing two
2325 hundred or more units in which a majority of residents have been
2326 given written notice, prior to June 23, 1999, pursuant to subdivision (3)
2327 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
2328 of subsection (b) of section 21-80, regardless [if] of whether one or
2329 more of such notices or the service of such notices is subsequently
2330 deemed invalid or ineffective, the amount of the relocation or
2331 compensatory payments required to be paid to such resident under the
2332 provisions of this section shall not exceed seven thousand dollars,
2333 regardless [if] of whether a subsequent valid notice or notices are
2334 properly served subsequent to June 23, 1999, and such subsequent
2335 notice or notices expire on or after October 1, 2000.

2336 (c) The owner of a mobile manufactured home park, who intends to
2337 close the park, shall notify, in writing, the Commissioner of Consumer
2338 Protection, the Commissioner of Economic and Community
2339 Development and the chief elected official in the town in which the
2340 park is located at least ninety days prior to refusing to renew any
2341 leases because of the impending closing, or on any earlier date the
2342 owner gives any notice of the closing of the park as may be required by
2343 the general statutes.

2344 Sec. 88. Section 21-80 of the general statutes is repealed and the
2345 following is substituted in lieu thereof:

2346 (a) An action for summary process may be maintained by the owner
2347 of a mobile manufactured home park against a mobile manufactured
2348 home resident who rents a mobile manufactured home from such
2349 owner for the following reasons, which shall be in addition to other
2350 reasons allowed under chapter 832 and, except as otherwise specified,
2351 proceedings under this subsection shall be as prescribed in chapter 832

2352 and sections 47a-15, 47a-20 and 47a-20a:

2353 (1) A conviction of the resident of a violation of a federal or state
2354 law or local ordinance which the court finds to be detrimental to the
2355 health, safety and welfare of other residents in the park but no notice
2356 to quit possession shall be required;

2357 (2) The continued violation of any reasonable rule established by the
2358 owner, provided a copy of such rule has been delivered by the owner
2359 to the resident prior to entering into a rental agreement and a copy of
2360 such rule has been posted in a conspicuous place in the park and,
2361 provided further the resident receives written notice of the specific rule
2362 or rules being violated at least thirty days before the time specified in
2363 the notice for the resident to quit possession of the mobile
2364 manufactured home or occupancy of the space or lot; or

2365 (3) A change in use of the land on which such mobile manufactured
2366 home is located, provided all the residents affected are given written
2367 notice (A) at least three hundred sixty-five days before the time
2368 specified in the notice for the resident to quit possession of the mobile
2369 manufactured home or occupancy of the lot if such notice is given
2370 before June 23, 1999, or (B) at least five hundred forty-five days before
2371 the time specified in the notice for the resident to quit possession of the
2372 mobile manufactured home or occupancy of the lot if such notice is
2373 given on or after June 23, 1999, regardless [if] of whether any other
2374 notice under this section or section 21-70 has been given before June
2375 23, 1999; provided nothing in subsection (f) of section 21-70, section 21-
2376 70a, this subsection, subdivision (1) of subsection (b) of this section or
2377 section 21-80b shall be construed to invalidate the effectiveness of or
2378 require the reissuance of any valid notice given before June 23, 1999.

2379 (b) (1) Notwithstanding the provisions of section 47a-23, an owner
2380 may terminate a rental agreement or maintain a summary process
2381 action against a resident who owns a mobile manufactured home only
2382 for one or more of the following reasons:

2383 (A) Nonpayment of rent, utility charges or reasonable incidental
2384 services charges;

2385 (B) Material noncompliance by the resident with any statute or
2386 regulation materially affecting the health and safety of other residents
2387 or materially affecting the physical condition of the park;

2388 (C) Material noncompliance by the resident with the rental
2389 agreement or with rules or regulations adopted under section 21-70;

2390 (D) Failure by the resident to agree to a proposed rent increase,
2391 provided the owner has complied with all provisions of subdivision (5)
2392 of this subsection; or

2393 (E) A change in the use of the land on which such mobile
2394 manufactured home is located, provided all of the affected residents
2395 receive written notice (i) at least three hundred sixty-five days before
2396 the time specified in the notice for the resident to quit possession of the
2397 mobile manufactured home or occupancy of the lot if such notice is
2398 given before June 23, 1999, or (ii) at least five hundred forty-five days
2399 before the time specified in the notice for the resident to quit
2400 possession of the mobile manufactured home or occupancy of the lot if
2401 such notice is given on or after June 23, 1999, regardless [if] of whether
2402 any other notice under this section or section 21-70 has been given
2403 before June 23, 1999; provided nothing in subsection (f) of section 21-
2404 70, section 21-70a, subsection (a) of this section, this subdivision and
2405 section 21-80b shall be construed to invalidate the effectiveness of or
2406 require the reissuance of any valid notice given before June 23, 1999.

2407 (2) An owner may not maintain a summary process action under
2408 subparagraph (B), (C) or (D) of subdivision (1) of this subsection,
2409 except a summary process action based upon conduct which
2410 constitutes a serious nuisance or a violation of subdivision (9) of
2411 subsection (b) of section 21-82, prior to delivering a written notice to
2412 the resident specifying the acts or omissions constituting the breach

2413 and that the rental agreement shall terminate upon a date not less than
2414 thirty days after receipt of the notice. If such breach can be remedied
2415 by repair by the resident or payment of damages by the resident to the
2416 owner and such breach is not so remedied within twenty-one days, the
2417 rental agreement shall terminate except that (i) if the breach is
2418 remediable by repairs or the payment of damages and the resident
2419 adequately remedies the breach within said twenty-one-day period,
2420 the rental agreement shall not terminate, or (ii) if substantially the
2421 same act or omission for which notice was given recurs within six
2422 months, the owner may terminate the rental agreement in accordance
2423 with the provisions of sections 47a-23 to 47a-23b, inclusive. For the
2424 purposes of this subdivision, "serious nuisance" means (A) inflicting
2425 bodily harm upon another resident or the owner or threatening to
2426 inflict such harm with the present ability to effect the harm and under
2427 circumstances which would lead a reasonable person to believe that
2428 such threat will be carried out, (B) substantial and wilful destruction of
2429 part of the premises, (C) conduct which presents an immediate and
2430 serious danger to the safety of other residents or the owner, or (D)
2431 using the premises for prostitution or the illegal sale of drugs. If the
2432 owner elects to evict based upon an allegation, pursuant to subdivision
2433 (8) of subsection (b) of section 21-82, that the resident failed to require
2434 other persons on the premises with [his] the resident's consent to
2435 conduct themselves in a manner that will not constitute a serious
2436 nuisance, and the resident claims to have had no knowledge of such
2437 conduct, then, if the owner establishes that the premises have been
2438 used for the illegal sale of drugs, the burden shall be on the resident to
2439 show that [he] the resident had no knowledge of the creation of the
2440 serious nuisance.

2441 (3) Notwithstanding the provisions of section 47a-23, termination of
2442 any tenancy in a mobile manufactured home park shall be effective
2443 only if made in the following manner:

2444 (A) By the resident giving at least thirty days' notice to the owner;

2445 (B) By the owner giving the resident at least sixty days' written
2446 notice, which shall state the reason or reasons for such termination,
2447 except that, when termination is based upon subparagraph (A) of
2448 subdivision (1) of this subsection, the owner need give the resident
2449 only thirty days' written notice, which notice shall state the total
2450 arrearage due provided, the owner shall not maintain or proceed with
2451 a summary process action against a resident who tenders the total
2452 arrearage due to the owner within such thirty days and who has not so
2453 tendered an arrearage under this subparagraph during the preceding
2454 twelve months.

2455 (4) Except as otherwise specified, proceedings under this section
2456 shall be as prescribed by chapter 832.

2457 (5) Nothing in this subsection shall prohibit an owner from
2458 increasing the rent at the termination of the rental agreement if (A) the
2459 owner delivers a written notice of the proposed rent increase to the
2460 resident at least thirty days before the start of a new rental agreement;
2461 (B) the proposed rent is consistent with rents for comparable lots in the
2462 same park; and (C) the rent is not increased in order to defeat the
2463 purpose of this subsection.

2464 (c) Notwithstanding the provisions of sections 47a-35 and 47a-36, if
2465 judgment is entered in a summary process action against a mobile
2466 manufactured home owner and resident based upon subparagraph (D)
2467 of subdivision (1) of subsection (b) of this section, execution shall not
2468 issue until six months from the date of such judgment. The court shall
2469 condition such stay of execution upon a requirement that the mobile
2470 manufactured home owner and resident make payments to the
2471 plaintiff in the summary process action in such installments as the
2472 court may direct for the use and occupancy of the premises during the
2473 period of such stay at the rate for which such mobile manufactured
2474 home owner and resident was most recently liable as rent or in such
2475 other sum as is reasonable.

2476 (d) Notwithstanding the provisions of sections 47a-35 and 47a-36, if
2477 judgment is entered in a summary process action against a resident
2478 who owns [his] the mobile manufactured home, the resident may,
2479 prior to the expiration of the automatic stay of execution provided in
2480 section 47a-35 or 47a-36, as applicable, move for permission to exercise
2481 in good faith [his] the resident's right to sell the mobile manufactured
2482 home in place in the mobile manufactured home park, subject to the
2483 provisions of section 21-79, and the court may stay execution upon
2484 such judgment pending sale of the home. Such stay may be ordered for
2485 a period or periods in an aggregate not to exceed twelve months from
2486 the date of the judgment in the summary process action, except that
2487 any such stay or stays extending beyond six months from the date of
2488 the judgment in the summary process action shall be reviewed every
2489 two months to determine that the resident is making a good faith effort
2490 to sell the home. The court shall condition such stay of execution upon
2491 a requirement that the resident make payments to the plaintiff in the
2492 summary process action in such installments as the court may direct
2493 for the use and occupancy of the premises during the period of such
2494 stay at the rate for which such resident was most recently liable as rent
2495 or in such other amount as is reasonable and may, in addition, impose
2496 other reasonable terms and conditions on the stay. If there is a rental
2497 arrearage at the time of the entry of the order, the court shall order that
2498 it be paid out of the proceeds of the sale, except that the court, upon
2499 finding that the resident has the present ability to pay the arrearage,
2500 may require that all or part of such arrearage be paid as a condition of
2501 the stay.

2502 (e) (1) If (A) a judgment for possession has been entered against the
2503 resident and all occupants of a mobile manufactured home pursuant to
2504 chapter 832 and this section; (B) no rent or other payment has been
2505 received for the use and occupancy of the lot upon which the mobile
2506 manufactured home is situated for at least four months; (C) at least
2507 sixty days have passed since the expiration of the last stay of execution
2508 pursuant to chapter 832 and this section; and (D) notwithstanding the

2509 provisions of section 47a-42, the mobile manufactured home remains
2510 upon the lot, the owner of the mobile manufactured home park may
2511 initiate a petition to the Superior Court pursuant to this section. Such
2512 petition may be brought as a supplemental proceeding in the summary
2513 process action, in which case no additional entry fee shall be required.

2514 (2) The petition shall allege the acts specified in subdivision (1) of
2515 this subsection and, in addition, shall allege supporting facts which
2516 demonstrate that the owner of the mobile manufactured home has
2517 failed or refused to make reasonable efforts to remove the home from
2518 the lot or to sell the home in place or that, in spite of reasonable efforts
2519 to locate the owner of the mobile manufactured home or such owner's
2520 representative, the owner of the mobile manufactured home park has
2521 been unable to locate such owner. Reasonable efforts to locate the
2522 owner of the mobile manufactured home shall include, but not be
2523 limited to, reasonable inquiry of relatives or associates of the owner of
2524 the home, if known to the owner of the park, and of other residents of
2525 the park.

2526 (3) A copy of the petition and the notice of the hearing on the
2527 petition shall be given to the owner of the mobile manufactured home,
2528 the municipality and all lienholders who have recorded a lien against
2529 the mobile manufactured home or of whom the owner of the mobile
2530 manufactured home park has actual knowledge. Notice to the
2531 municipality and to lienholders shall be by certified mail. Notice to the
2532 owner of the mobile manufactured home shall be designed to
2533 maximize the likelihood that the owner will receive actual notice of the
2534 petition, without regard to whether the owner appeared in the
2535 summary process action. Such notice to the owner of the mobile
2536 manufactured home shall be conspicuously posted at the entrance to
2537 the mobile manufactured home and also sent by certified or registered
2538 mail, return receipt requested, to the owner of the mobile
2539 manufactured home and to the attorney, if any, who appeared for such
2540 owner in the summary process action. Notice to the owner of the

2541 mobile manufactured home shall be sent to such owner at [his] the
2542 owner's last-known address and also to such owner in care of any
2543 other person reasonably believed to know the location of the owner.
2544 The court may require supplemental notice if it finds that additional
2545 notice is likely to result in actual notice to the owner of the mobile
2546 manufactured home.

2547 (4) At the hearing on the petition, the court shall determine whether
2548 all the requirements of subdivisions (1), (2) and (3) of this subsection
2549 have been satisfied and, if they have, shall also determine whether the
2550 home has been abandoned. If such requirements have been satisfied
2551 and such home has been abandoned, the court shall order the owner of
2552 the mobile manufactured home park to conduct a public sale of the
2553 home. Nothing in this section shall preclude the court from deferring
2554 the entry of an order requiring sale and from issuing other appropriate
2555 orders, if the court finds that, within a reasonable period of time, the
2556 owner of the mobile manufactured home will remove the home from
2557 the lot or dispose of the home by sale or will make other appropriate
2558 arrangements with the park owner. The order directing sale shall
2559 require notice which includes a conspicuous statement that the sale
2560 will extinguish all previous ownership and lien rights. Notice shall be
2561 given by certified or registered mail, return receipt requested, to all
2562 persons entitled to notice of the petition. Notice shall also be posted
2563 conspicuously at the entrance of the home and shall be advertised at
2564 least three times in the real estate section of a daily paper with general
2565 circulation in the area where the park is situated. Any person,
2566 including a lienholder or the owner of the mobile manufactured home
2567 park, may bid at the sale. The proceeds of such sale shall be applied
2568 first to the costs of the sale and then to the payment of lienholders in
2569 the order of the priority of their liens. If proceeds remain thereafter
2570 they shall be paid over to the owner of the mobile manufactured home.
2571 Upon conclusion of the sale, the park owner shall file an affidavit with
2572 the court setting forth the nature of its compliance with the court's
2573 order of sale. The court, upon finding compliance with its order, shall

2574 issue a conveyance of title and release of liens, if any, to the purchaser
2575 for filing in the land records, which shall constitute good title to the
2576 home, and no execution shall issue on the original summary process
2577 action.

2578 Sec. 89. Section 21a-7 of the general statutes is repealed and the
2579 following is substituted in lieu thereof:

2580 Each board or commission transferred to the Department of
2581 Consumer Protection under section 21a-6 shall have the following
2582 powers and duties:

2583 (1) Each board or commission shall exercise its statutory functions,
2584 including licensing, certification, registration, accreditation of schools
2585 and the rendering of findings, orders and adjudications, independently
2586 of the Commissioner of Consumer Protection. The final decision of a
2587 board or commission shall be subject to judicial review as provided in
2588 section 4-183.

2589 (2) Each board or commission may, in its discretion, issue (A) an
2590 appropriate order to any person found to be violating an applicable
2591 statute or regulation providing for the immediate discontinuance of
2592 the violation, (B) an order requiring the violator to make restitution for
2593 any damage caused by the violation, or (C) both. Each board or
2594 commission may, through the Attorney General, petition the superior
2595 court for the [county] judicial district wherein the violation occurred,
2596 or wherein the person committing the violation resides or transacts
2597 business, for the enforcement of any order issued by it and for
2598 appropriate temporary relief or a restraining order and shall certify
2599 and file in the court a transcript of the entire record of the hearing or
2600 hearings, including all testimony upon which such order was made
2601 and the findings and orders made by the board or commission. The
2602 court may grant such relief by injunction or otherwise, including
2603 temporary relief, as it deems equitable and may make and enter a
2604 decree enforcing, modifying and enforcing as so modified, or setting

2605 aside, in whole or in part, any order of a board or commission.

2606 (3) Each board or commission may conduct hearings on any matter
2607 within its statutory jurisdiction. Such hearings shall be conducted in
2608 accordance with chapter 54 and the regulations established pursuant to
2609 subsection (a) of section 21a-9. In connection with any such hearing,
2610 the board or commission may administer oaths, issue subpoenas,
2611 compel testimony and order the production of books, records and
2612 documents. If any person refuses to appear, testify or produce any
2613 book, record or document when so ordered, a judge of the Superior
2614 Court may make such order as may be appropriate to aid in the
2615 enforcement of this section.

2616 (4) Each board or commission may request the Commissioner of
2617 Consumer Protection to conduct an investigation and to make findings
2618 and recommendations regarding any matter within the statutory
2619 jurisdiction of the board or commission.

2620 (5) Each board or commission may recommend rules and
2621 regulations for adoption by the Commissioner of Consumer Protection
2622 and may review and comment upon proposed rules and regulations
2623 prior to their adoption by said commissioner.

2624 (6) Each board or commission shall meet at least once in each
2625 quarter of a calendar year and at such other times as the chairperson
2626 deems necessary or at the request of a majority of the board or
2627 commission members. A majority of the members shall constitute a
2628 quorum. Any member who fails to attend three consecutive meetings
2629 or who fails to attend fifty per cent of all meetings during any calendar
2630 year shall be deemed to have resigned from office. Members of boards
2631 or commissions shall not serve for more than two consecutive full
2632 terms which commence on or after July 1, 1982, except that if no
2633 successor has been appointed or approved, such member shall
2634 continue to serve until a successor is appointed or approved. Members
2635 shall not be compensated for their services but shall be reimbursed for

2636 necessary expenses incurred in the performance of their duties.

2637 (7) In addition to any other action permitted under the general
2638 statutes, each board or commission may upon a finding of any cause
2639 specified in subsection (c) of section 21a-9: Revoke or suspend a
2640 license, registration or certificate; issue a letter of reprimand to a
2641 practitioner and send a copy of such letter to a complainant or to a
2642 state or local official; place a practitioner on probationary status and
2643 require the practitioner to report regularly to the board or commission
2644 on the matter which is the basis for probation, limit [his] the
2645 practitioner's practice to areas prescribed by the board or commission
2646 or, to continue or renew [his] the practitioner's education until [he] the
2647 practitioner has attained a satisfactory level of competence in any area
2648 which is the basis for probation. Each board or commission may
2649 discontinue, suspend or rescind any action taken under this
2650 subsection.

2651 Sec. 90. Subsection (a) of section 21a-190c of the general statutes is
2652 repealed and the following is substituted in lieu thereof:

2653 (a) Every charitable organization required to register pursuant to
2654 section 21a-190b shall annually file with the department a report for its
2655 most recently completed fiscal year, which report shall include a
2656 financial statement and such other information as the commissioner
2657 may require. Such charitable organization shall file such report not
2658 more than five months following the close of its fiscal year, which
2659 report shall be accompanied by a fee of twenty-five dollars and shall be
2660 signed by two authorized officers of the organization, one of whom
2661 shall be the chief fiscal officer of the organization. Such officers shall
2662 certify that such report is true and correct to the best of their
2663 knowledge. The commissioner shall prescribe the form of the report
2664 and may prescribe standards for its completion. The commissioner
2665 may accept, under such conditions as [he] said commissioner may
2666 prescribe, a copy or duplicate original of financial statements, reports

2667 or returns filed by the charitable organization with the Internal
2668 Revenue Service or another state having requirements similar to the
2669 provisions of sections 21a-190a to 21a-190l, inclusive.

2670 Sec. 91. Subsection (a) of section 21a-190l of the general statutes is
2671 repealed and the following is substituted in lieu thereof:

2672 (a) The commissioner may deny, suspend or revoke the registration
2673 of any charitable organization, fund-raising counsel or paid solicitor
2674 which has violated any provision of sections 21a-190a to 21a-190l,
2675 inclusive. The commissioner may accept a written assurance of
2676 compliance when [he] said commissioner determines that a violation
2677 of said sections is not material and that the public interest would not
2678 be served by a denial, suspension or revocation of such registration.

2679 Sec. 92. Section 21a-278 of the general statutes is repealed and the
2680 following is substituted in lieu thereof:

2681 (a) Any person who manufactures, distributes, sells, prescribes,
2682 dispenses, compounds, transports with the intent to sell or dispense,
2683 possesses with the intent to sell or dispense, offers, gives or
2684 administers to another person one or more preparations, compounds,
2685 mixtures or substances containing an aggregate weight of one ounce or
2686 more of heroin, methadone or cocaine or an aggregate weight of one-
2687 half gram or more of cocaine in a free-base form or a substance
2688 containing five milligrams or more of lysergic acid diethylamide,
2689 except as authorized in this chapter, and who is not, at the time of such
2690 action, a drug-dependent person, shall be imprisoned for a minimum
2691 term of not less than five years nor more than twenty years; and, a
2692 maximum term of life imprisonment. The execution of the mandatory
2693 minimum sentence imposed by the provisions of this subsection shall
2694 not be suspended except the court may suspend the execution of such
2695 mandatory minimum sentence if at the time of the commission of the
2696 offense (1) such person was under the age of eighteen years, or [,] (2)
2697 such person's mental capacity was significantly impaired but not so

2698 impaired as to constitute a defense to prosecution.

2699 (b) Any person who manufactures, distributes, sells, prescribes,
2700 dispenses, compounds, transports with the intent to sell or dispense,
2701 possesses with the intent to sell or dispense, offers, gives or
2702 administers to another person any narcotic substance, hallucinogenic
2703 substance other than marijuana, amphetamine-type substance, or one
2704 kilogram or more of a cannabis-type substance except as authorized in
2705 this chapter, and who is not at the time of such action a drug-
2706 dependent person, for a first offense shall be imprisoned not less than
2707 five years nor more than twenty years; and for each subsequent offense
2708 shall be imprisoned not less than ten years nor more than twenty-five
2709 years. The execution of the mandatory minimum sentence imposed by
2710 the provisions of this subsection shall not be suspended except the
2711 court may suspend the execution of such mandatory minimum
2712 sentence if at the time of the commission of the offense (1) such person
2713 was under the age of eighteen years, or [.] (2) such person's mental
2714 capacity was significantly impaired but not so impaired as to
2715 constitute a defense to prosecution.

2716 Sec. 93. Subsection (a) of section 30-14 of the general statutes is
2717 repealed and the following is substituted in lieu thereof:

2718 (a) A permit shall be a purely personal privilege [.] that expires
2719 annually, except a permit issued under sections 30-25, 30-35, 30-37b,
2720 30-37d, 30-37g and 30-37h, and revocable in the discretion of the
2721 Department of Consumer Protection subject to appeal as provided in
2722 section 30-55. A permit shall not constitute property, nor shall it be
2723 subject to attachment and execution, nor shall it be alienable, except
2724 that it shall descend to the estate of a deceased permittee by the laws of
2725 testate or intestate succession. A railroad permit or an airline permit
2726 shall be granted to the railroad corporation or airline corporation and
2727 not to any person, and the corporation shall be the permittee.

2728 Sec. 94. Section 30-106 of the general statutes is repealed and the

2729 following is substituted in lieu thereof:

2730 Every officer who has a warrant for the arrest of any person charged
2731 with keeping a house of ill-fame, or a house reputed to be a house of
2732 ill-fame, or a house of assignation or a house where lewd, dissolute or
2733 drunken persons resort, or where drinking, carousing, dancing and
2734 fighting are permitted, to the disturbance of the neighbors, or with
2735 violating any law against gaming in the house or rooms occupied by
2736 [him] such person, or with resorting to any house for any of said
2737 purposes, and every officer who has a warrant for the arrest of any
2738 person charged with keeping open any room, place, enclosure,
2739 building or structure, of any kind or description, in which it is reputed
2740 that alcoholic liquor is exposed for sale contrary to law, or with selling
2741 alcoholic liquor [,] in any place contrary to law, or for the seizure of
2742 alcoholic liquor, may, at any time, for the purpose of gaining
2743 admission to such house, room, place, enclosure, building or structure,
2744 or for the purpose of arresting any of the persons aforesaid, make
2745 violent entry into such house, room, place, enclosure, building or
2746 structure, or any part thereof, after demanding admittance and giving
2747 notice that [he] the officer is an officer and has such warrant, and may
2748 arrest any person so charged and take [him] such person before the
2749 proper authority. The Department of Consumer Protection, its agents
2750 and any member of any organized police department in any town, city
2751 or borough, and any state policeman, may, at any time, enter upon the
2752 premises of any permittee to ascertain the manner in which such
2753 person conducts [his] business and to preserve order.

2754 Sec. 95. Subsection (b) of section 42-133mm of the general statutes is
2755 repealed and the following is substituted in lieu thereof:

2756 (b) When a franchisor sells, transfers or assigns the franchisor's
2757 interest in two or more marketing premises marketed as a package to a
2758 successor owner, any change in the terms and conditions of the
2759 franchise agreement in effect at the time of the sale, transfer or

2760 assignment shall be by mutual agreement of the franchisee and the
2761 successor owner. Such successor owner shall, at the expiration of the
2762 franchise agreement in effect at the time of the sale, transfer or
2763 assignment renew the franchise agreement of each franchisee for the
2764 same number of years as the agreement in effect at the time of the sale,
2765 transfer or assignment, provided [,] such renewal shall not exceed five
2766 years. Any changes to the franchise agreement shall be submitted in
2767 good faith by the successor owner [,] and negotiated in good faith by
2768 the successor owner and franchisee. The successor owner shall not
2769 require the franchisee to do the following: (1) Take part in promotional
2770 campaigns of the successor owner's products; (2) meet sales quotas; (3)
2771 sell any product at a price suggested by the successor owner or
2772 supplier; (4) [to] keep the premises open and operating during hours
2773 which are documented by the franchisee to be unprofitable to the
2774 franchisee or during the hours after 10 p.m. and prior to 6 a.m.; or (5)
2775 disclose to the successor owner or supplier financial records of the
2776 operation of the franchise which are not related or necessary to the
2777 franchisee's obligations under the franchise agreement. Nothing in this
2778 subsection shall affect the successor owner's ability to terminate, cancel
2779 or fail to renew a franchise agreement for good cause shown.

2780 Sec. 96. Section 42-158g of the general statutes is repealed and the
2781 following is substituted in lieu thereof:

2782 Prior to a retail lessee signing a lease agreement [,] with a retail
2783 lessor, the retail lessor shall make the disclosures specified in the
2784 Consumer Credit Protection Act (15 USC 1667), as amended from time
2785 to time, and Regulation M, 12 CFR Part 213, as amended from time to
2786 time, promulgated by the Board of Governors of the Federal Reserve
2787 System pursuant to said act, regardless of whether the lease agreement
2788 is subject to said act.

2789 Sec. 97. Subsection (c) of section 42-288a of the general statutes is
2790 repealed and the following is substituted in lieu thereof:

2791 (c) No telephone solicitor may make or cause to be made any
2792 unsolicited telephonic sales call to any consumer (1) if the consumer's
2793 name and telephone number or numbers appear on the then current
2794 quarterly "no sales solicitation calls" listing made available by the
2795 department under subsection (b) of this section, unless (A) such call
2796 was made by a telephone solicitor that first began doing business in
2797 this state on or after January 1, 2000, (B) a period of less than one year
2798 has passed since such telephone solicitor first began doing business in
2799 this state, and (C) the consumer to [which] whom such call was made
2800 had not on a previous occasion stated to such telephone solicitor that
2801 such consumer no longer wishes to receive the telephonic sales calls of
2802 such telephone solicitor, (2) to be received between the hours of nine
2803 o'clock p.m. and nine o'clock a.m., local time, at the consumer's
2804 location, (3) in the form of electronically transmitted facsimiles, or (4)
2805 by use of a recorded message device.

2806 Sec. 98. Subsection (g) of section 45a-715 of the general statutes is
2807 repealed and the following is substituted in lieu thereof:

2808 (g) Before a hearing on the merits in any case in which a petition for
2809 termination of parental rights is contested in a court of probate, the
2810 Court of Probate shall, on the motion of any legal party except the
2811 petitioner or may on its own motion or that of the petitioner, under
2812 rules adopted by the judges of the Supreme Court, transfer the case to
2813 the Superior Court. In addition to the provisions of this section, the
2814 Probate Court may, on the court's own motion or that of any interested
2815 party, transfer the case to another judge of probate, which judge shall
2816 be appointed by the Probate Court Administrator from a panel of
2817 qualified probate judges who specialize in children's matters. Such
2818 panel shall be proposed by the Probate Court Administrator and
2819 approved by the executive committee of the Connecticut Probate
2820 Assembly. The location of the hearing shall be in the original probate
2821 court, except upon agreement of all parties and the Department of
2822 Children and Families, where applicable. If the case is transferred, the

2823 clerk of the Court of Probate shall transmit to the clerk of the Superior
2824 Court or the probate Court to which the case was transferred, the
2825 original files and papers in the case. The Superior Court or the probate
2826 court to which the [matter] case was transferred, upon hearing after
2827 notice as provided in sections 45a-716 and 45a-717, may grant the
2828 petition as provided in section 45a-717.

2829 Sec. 99. Subsection (c) of section 46a-94a of the general statutes is
2830 repealed and the following is substituted in lieu thereof:

2831 (c) The commission on its own motion may, whenever justice so
2832 requires, reopen any matter previously closed by it in accordance with
2833 the provisions of this subsection, provided such matter [had] has not
2834 been appealed to the Superior Court pursuant to section 4-183. Notice
2835 of such reopening shall be given to all parties. A complainant or
2836 respondent may, for good cause shown, in the interest of justice, apply
2837 for the reopening of a previously closed proceeding provided such
2838 application is filed with the commission within six years of the
2839 commission's final decision or by October 1, 2000, whichever comes
2840 first. After October 1, 2000, such application shall be filed within two
2841 years of the commission's final decision.

2842 Sec. 100. Subsection (b) of section 46b-150f of the general statutes is
2843 repealed and the following is substituted in lieu thereof:

2844 (b) A petition alleging that a youth is a youth in crisis shall be
2845 verified and filed with the Superior Court which has venue over the
2846 matter. The petition shall set forth plainly: (1) The facts which bring
2847 the youth within the jurisdiction of the court; (2) the name, date of
2848 birth, sex and residence of the [child] youth; (3) the name and
2849 residence of the parent or parents, guardian or other person having
2850 control of the youth; and (4) a prayer for appropriate action by the
2851 court in conformity with the provisions of this section.

2852 Sec. 101. This act shall take effect from its passage.

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: Various State Agencies

Municipal Impact: None

Explanation**State Impact:**

There is no fiscal impact associated with this bill. It makes minor changes to the statutes to conform them to the constitutional amendment eliminating sheriffs, deputy sheriffs, and special deputy sheriffs. It also makes technical changes to other statutes.

OLR Bill Analysis

sSB 1046

***AN ACT CONCERNING THE REVISOR'S CORRECTIONS TO THE
GENERAL STATUTES AND CERTAIN PUBLIC ACTS.*****SUMMARY:**

This bill makes various changes to conform to the constitutional amendment and conforming legislation eliminating sheriffs, deputy sheriffs, and special deputy sheriffs. It (1) removes special deputy sheriffs (who became judicial marshals under last year's legislation) from the statute exempting them from the classified service; (2) requires payment of the state marshal's, rather than the sheriff's, fees on the order of the Hartford judicial district Superior Court when someone fails to pay a penalty to the State Elections Enforcement Commission; and (3) gives borough bailiffs in their borough the same power to execute legal process as state marshals, rather than sheriffs.

The bill also makes technical changes to the statutes.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 0